

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

34TH LEGISLATIVE DAY

WEDNESDAY, MAY 2, 2001

12:00 O'CLOCK NOON

No. 34
[May 2, 2001]

The Senate met pursuant to adjournment.
Honorables James "Pate" Philip, Wood Dale, Illinois, presiding.
Prayer by Father John J. Piederit, S.J., President, Loyola
University, Chicago, Illinois.
Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, May 1, 2001, was being read when on
motion of Senator Myers further reading of same was dispensed with
and unless some Senator had corrections to offer, the Journal would
stand approved. No corrections being offered, the Journal was
ordered to stand approved.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

The Annual Report on Flex-time Policy submitted by the Department
of Central Management Services pursuant to Public Act 87-552.

The foregoing report was ordered received and placed on file in
the Secretary's Office.

COMMUNICATIONS

EILEEN LYONS
STATE REPRESENTATIVE - 47TH DISTRICT

May 1, 2001

Honorable Jim Harry
Secretary of Senate
Room 401 Statehouse
Springfield, IL 62706

Dear Mr. Harry:

Pursuant to Senate Rule 5-1(c), I request Senator Radogno be the
chief sponsor of HB 453.

This legislation is in response to constituents in the district
the senator and I represent.

I would appreciate your prompt attention to this change.

Sincerely,

s/Eileen Lyons
State Representative
47th District

Pursuant to Senate Rule 5-1(c) the foregoing Communication was
referred to the Committee on Rules.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

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Senator Lightford was excused from attendance due to illness.

REPORTS FROM STANDING COMMITTEES

Senator Sieben, Chairperson of the Committee on Agriculture and Conservation to which was referred House Bills numbered 1696, 2552 and 3377 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sieben, Chairperson of the Committee on Agriculture and Conservation to which was referred House Bills numbered 953 and 1915 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Mahar, Chairperson of the Committee on Environment and Energy to which was referred House Bill No. 3264 reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Mahar, Chairperson of the Committee on Environment and Energy to which was referred House Bills numbered 2 and 1694 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred House Bills numbered 542, 978, 2011, 2058, 2290, 2296, 2300 and 3217 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred House Bills numbered 176, 1041, 1900, 1970, 2088 and 3214 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hawkinson, Chairperson of the Committee on Judiciary, to which was referred Senate Joint Resolution Constitutional Amendment No. 18 reported the same back with the recommendation that the resolution be adopted.

Under the rules, Senate Joint Resolution Constitutional Amendment No. 18 was placed on the Secretary's Desk on the order of first reading.

Senator Parker, Chairperson of the Committee on Transportation to which was referred House Bills numbered 508, 2259, 2534, 2564 and 3246 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Parker, Chairperson of the Committee on Transportation to which was referred House Bills numbered 161, 418 and 1907 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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Senator Parker, Chairperson of the Committee on Transportation to which was referred the following Senate floor amendment, reported that the Committee recommends that it be approved for consideration:

Amendment No. 1 to House Bill 846

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 104

A bill for AN ACT in relation to coal.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 104

Passed the House, as amended, May 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 104

AMENDMENT NO. 1. Amend Senate Bill 104 as follows:
on page 2, below line 12, by inserting the following:

"This Act affects only coal owners, as defined in Section 10 of this Act, and does not affect the rights of surface owners, except to the extent that they may also be coal owners.".

Under the rules, the foregoing Senate Bill No. 104, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 624

A bill for AN ACT concerning long term care facility residents.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 624

House Amendment No. 2 to SENATE BILL NO. 624

Passed the House, as amended, May 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 624

AMENDMENT NO. 1. Amend Senate Bill 624 by replacing the title with the following:

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"AN ACT in relation to health care."; and
 by replacing everything after the enacting clause with the following:
 "Section 5. The Mental Health and Developmental Disabilities
 Administrative Act is amended by changing Sections 4, 7, and 15 as
 follows:

(20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

Sec. 4. Supervision of facilities and services; quarterly
 reports.

(a) To exercise executive and administrative supervision over
 all facilities, divisions, programs and services now existing or
 hereafter acquired or created under the jurisdiction of the
 Department, including, but not limited to, the following:

The Alton Mental Health Center, at Alton
 The Clyde L. Choate Mental Health and Developmental Center,
 at Anna
 The Chester Mental Health Center, at Chester
 The Chicago-Read Mental Health Center, at Chicago
 The Elgin Mental Health Center, at Elgin
 The Metropolitan Children and Adolescents Center, at Chicago
 The Jacksonville Developmental Center, at Jacksonville
 The Governor Samuel H. Shapiro Developmental Center, at
 Kankakee
 The Tinley Park Mental Health Center, at Tinley Park
 The Warren G. Murray Developmental Center, at Centralia
 The Jack Mabley Developmental Center, at Dixon
 The Lincoln Developmental Center, at Lincoln
 The H. Douglas Singer Mental Health and Developmental
 Center, at Rockford
 The John J. Madden Mental Health Center, at Chicago
 The George A. Zeller Mental Health Center, at Peoria
 The Andrew McFarland Mental Health Center, at Springfield
 The Adolf Meyer Mental Health Center, at Decatur
 The William W. Fox Developmental Center, at Dwight
 The Elisabeth Ludeman Developmental Center, at Park Forest
 The William A. Howe Developmental Center, at Tinley Park
 The Ann M. Kiley Developmental Center, at Waukegan.

(b) Beginning not later than July 1, 1977, the Department shall
 cause each of the facilities under its jurisdiction which provide
 in-patient care to comply with standards, rules and regulations of
 the Department of Public Health prescribed under Section 6.05 of the
 Hospital Licensing Act.

(c) The Department shall issue quarterly reports on admissions,
 deflections, discharges, bed closures, staff-resident ratios, census,
 and average length of stay, and any adverse federal certification or
 accreditation findings, if any, for each State-operated facility for
 the mentally ill and developmentally disabled.

(Source: P.A. 91-357, eff. 7-29-99; 91-652, eff. 12-1-99.)

(20 ILCS 1705/7) (from Ch. 91 1/2, par. 100-7)

Sec. 7. To receive and provide the highest possible quality of
 humane and rehabilitative care and treatment to all persons admitted
 or committed or transferred in accordance with law to the facilities,
 divisions, programs, and services under the jurisdiction of the
 Department. No resident of another state shall be received or
 retained to the exclusion of any resident of this State. No resident
 of another state shall be received or retained to the exclusion of
 any resident of this State. All recipients of 17 years of age and
 under in residence in a Department facility other than a facility for
 the care of the mentally retarded shall be housed in quarters
 separated from older recipients except for: (a) recipients who are
 placed in medical-surgical units because of physical illness; and (b)

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recipients between 13 and 18 years of age who need temporary security measures.

All recipients in a Department facility shall be given a dental examination by a licensed dentist or registered dental hygienist at least once every 18 months and shall be assigned to a dentist for such dental care and treatment as is necessary.

All medications administered to recipients shall be administered only by those persons who are legally qualified to do so by the laws of the State of Illinois. Medication shall not be prescribed until a physical and mental examination of the recipient has been completed. If, in the clinical judgment of a physician, it is necessary to administer medication to a recipient before the completion of the physical and mental examination, he may prescribe such medication but he must file a report with the facility director setting forth the reasons for prescribing such medication within 24 hours of the prescription. A copy of the report shall be part of the recipient's record.

No later than January 1, 2002, the Department shall adopt a model protocol and forms for recording all patient diagnosis, care, and treatment at every facility under the jurisdiction of the Department. The model protocol and forms shall be used by each facility unless the Department determines that equivalent alternatives justify an exemption.

Every facility under the jurisdiction of the Department shall maintain a copy of each report of suspected abuse or neglect of the patient. Copies of those reports shall be made available to the State Auditor General in connection with his biennial program audit of the facility as required by Section 3-2 of the Illinois State Auditing Act.

No later than January 1, 2002, every facility under the jurisdiction of the Department and all services provided in those facilities shall comply with all of the applicable standards adopted by the Social Security Administration under Subchapter XVIII (Medicare) of the Social Security Act (42 U.S.C. 1395 - 1395ccc), if the facility and services may be eligible for federal financial participation under that federal law.

(Source: P.A. 86-922; 86-1013; 86-1475.)

(20 ILCS 1705/15) (from Ch. 91 1/2, par. 100-15)

Sec. 15. Before any person is released from a facility operated by the State pursuant to an absolute discharge or a conditional discharge from hospitalization under this Act, the facility director of the facility in which such person is hospitalized shall determine that such person is not currently in need of hospitalization and:

- (a) is able to live independently in the community; or
- (b) requires further oversight and supervisory care for which arrangements have been made with responsible relatives or supervised residential program approved by the Department; or
- (c) requires further personal care or general oversight as defined by the Nursing Home Care Act, for which placement arrangements have been made with a suitable family home or other licensed facility approved by the Department under this Section; or

(d) requires community mental health services for which arrangements have been made with a suitable community mental health provider in accordance with criteria, standards, and procedures promulgated by rule. The suitable community mental health provider shall be selected from among the Department's contractual designees.

Such determination shall be made in writing and shall become a part of the facility record of such absolutely or conditionally

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discharged person. When the determination indicates that the condition of the person to be granted an absolute discharge or a conditional discharge is described under subparagraph (c) or (d) of this Section, the name and address of the continuing care facility or home to which such person is to be released shall be entered in the facility record. Where a discharge from a mental health facility is made under subparagraph (c), the Department shall assign the person so discharged to an existing community based not-for-profit agency for participation in day activities suitable to the person's needs, such as but not limited to social and vocational rehabilitation, and other recreational, educational and financial activities unless the community based not-for-profit agency is unable ~~unqualified~~ to accept such assignment. Where the clientele of any not-for-profit agency increases as a result of assignments under this amendatory Act of ~~2001 1977--by more than 3% over the prior year,~~ the Department shall fully reimburse such agency for the increased costs of providing services to such persons ~~in excess of such 3% increase.~~ The Department shall keep written records detailing how many persons have been assigned to a community based not-for-profit agency and how many persons were not so assigned because the community based agency was unable to accept the assignments, in accordance with criteria, standards, and procedures promulgated by rule. Whenever a community based agency is found to be unable to accept the assignments, the name of the agency and the reason for the finding shall be included in the report.

Insofar as desirable in the interests of the former recipient, the facility, program or home in which the discharged person is to be placed shall be located in or near the community in which the person resided prior to hospitalization or in the community in which the person's family or nearest next of kin presently reside. Placement of the discharged person in facilities, programs or homes located outside of this State shall not be made by the Department unless there are no appropriate facilities, programs or homes available within this State. Out-of-state placements shall be subject to return of recipients so placed upon the availability of facilities, programs or homes within this State to accommodate these recipients, except where placement in a contiguous state results in locating a recipient in a facility or program closer to the recipient's home or family. If an appropriate facility or program becomes available equal to or closer to the recipient's home or family, the recipient shall be returned to and placed at the appropriate facility or program within this State.

To place any person who is under a program of the Department at board in a suitable family home or in such other facility or program as the Department may consider desirable. The Department may place in licensed nursing homes, sheltered care homes, or homes for the aged those persons whose behavioral manifestations and medical and nursing care needs are such as to be substantially indistinguishable from persons already living in such facilities. Prior to any placement by the Department under this Section, a determination shall be made by the personnel of the Department, as to the capability and suitability of such facility to adequately meet the needs of the person to be discharged. When specialized programs are necessary in order to enable persons in need of supervised living to develop and improve in the community, the Department shall place such persons only in specialized residential care facilities which shall meet Department standards including restricted admission policy, special staffing and programming for social and vocational rehabilitation, in addition to the requirements of the appropriate State licensing agency. The Department shall not place any new person in a facility

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the license of which has been revoked or not renewed on grounds of inadequate programming, staffing, or medical or adjunctive services, regardless of the pendency of an action for administrative review regarding such revocation or failure to renew. Before the Department may transfer any person to a licensed nursing home, sheltered care home or home for the aged or place any person in a specialized residential care facility the Department shall notify the person to be transferred, or a responsible relative of such person, in writing, at least 30 days before the proposed transfer, with respect to all the relevant facts concerning such transfer, except in cases of emergency when such notice is not required. If either the person to be transferred or a responsible relative of such person objects to such transfer, in writing to the Department, at any time after receipt of notice and before the transfer, the facility director of the facility in which the person was a recipient shall immediately schedule a hearing at the facility with the presence of the facility director, the person who objected to such proposed transfer, and a psychiatrist who is familiar with the record of the person to be transferred. Such person to be transferred or a responsible relative may be represented by such counsel or interested party as he may appoint, who may present such testimony with respect to the proposed transfer. Testimony presented at such hearing shall become a part of the facility record of the person-to-be-transferred. The record of testimony shall be held in the person-to-be-transferred's record in the central files of the facility. If such hearing is held a transfer may only be implemented, if at all, in accordance with the results of such hearing. Within 15 days after such hearing the facility director shall deliver his findings based on the record of the case and the testimony presented at the hearing, by registered or certified mail, to the parties to such hearing. The findings of the facility director shall be deemed a final administrative decision of the Department. For purposes of this Section, "case of emergency" means those instances in which the health of the person to be transferred is imperiled and the most appropriate mental health care or medical care is available at a licensed nursing home, sheltered care home or home for the aged or a specialized residential care facility.

Prior to placement of any person in a facility under this Section the Department shall ensure that an appropriate training plan for staff is provided by the facility. Said training may include instruction and demonstration by Department personnel qualified in the area of mental illness or mental retardation, as applicable to the person to be placed. Training may be given both at the facility from which the recipient is transferred and at the facility receiving the recipient, and may be available on a continuing basis subsequent to placement. In a facility providing services to former Department recipients, training shall be available as necessary for facility staff. Such training will be on a continuing basis as the needs of the facility and recipients change and further training is required.

The Department shall not place any person in a facility which does not have appropriately trained staff in sufficient numbers to accommodate the recipient population already at the facility. As a condition of further or future placements of persons, the Department shall require the employment of additional trained staff members at the facility where said persons are to be placed. The Secretary, or his or her designate, shall establish written guidelines for placement of persons in facilities under this Act. The Department shall keep written records detailing which facilities have been determined to have appropriately trained staff, which facilities have been determined not to have such staff, and all training which it has provided or required under this Section.

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Bills for the support for a person boarded out shall be payable monthly out of the proper maintenance funds and shall be audited as any other accounts of the Department. If a person is placed in a facility or program outside the Department, the Department may pay the actual costs of residence, treatment or maintenance in such facility and may collect such actual costs or a portion thereof from the recipient or the estate of a person placed in accordance with this Section.

Other than those placed in a family home the Department shall cause all persons who are placed in a facility, as defined by the Nursing Home Care Act, or in designated community living situations or programs, to be visited at least once during the first month following placement, and once every month thereafter for the first year following placement when indicated, but at least quarterly. After the first year, visits shall be made at least once per year for as long as the placement continues. If a long term care facility has periodic care plan conferences, the visitor may participate in those conferences. Visits shall be made by qualified and trained Department personnel, or their designee, in the area of mental health or developmental disabilities applicable to the person visited, and shall be made on a more frequent basis when indicated. The Department may not use as designee any personnel connected with or responsible to the representatives of any facility in which persons who have been transferred under this Section are placed. In the course of such visit there shall be consideration of the following areas, but not limited thereto: effects of transfer on physical and mental health of the person, sufficiency of nursing care and medical coverage required by the person, sufficiency of staff personnel and ability to provide basic care for the person, social, recreational and programmatic activities available for the person, and other appropriate aspects of the person's environment.

A report containing the above observations shall be made to the Department and to any other appropriate agency subsequent to each visitation. The report shall contain a detailed assessment of whether the recipient is receiving necessary services in the least restrictive environment. If the recipient is not receiving those services, the Department shall either require that the facility modify the treatment plan to ensure that those services are provided or make arrangements necessary to provide those services elsewhere. ~~At the conclusion of one year following absolute or conditional discharge, or a longer period of time if required by the Department, the Department may terminate the visitation requirements of this Section as to a person placed in accordance with this Section, by filing a written statement of termination setting forth reasons to substantiate the termination of visitations in the person's file, and sending a copy thereof to the person, and to his guardian or next of kin.~~

Upon the complaint of any person placed in accordance with this Section or any responsible citizen or upon discovery that such person has been abused, neglected, or improperly cared for, or that the placement does not provide the type of care required by the recipient's current condition, the Department immediately shall investigate, and determine if the well-being, health, care, or safety of any person is affected by any of the above occurrences, and if any one of the above occurrences is verified, the Department shall remove such person at once to a facility of the Department or to another facility outside the Department, provided such person's needs can be met at said facility. The Department may also provide any person placed in accordance with this Section who is without available funds, and who is permitted to engage in employment outside the

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facility, such sums for the transportation, and other expenses as may be needed by him until he receives his wages for such employment.

The Department shall promulgate rules and regulations governing the purchase of care for persons who are wards of or who are receiving services from the Department. Such rules and regulations shall apply to all monies expended by any agency of the State of Illinois for services rendered by any person, corporate entity, agency, governmental agency or political subdivision whether public or private outside of the Department whether payment is made through a contractual, per-diem or other arrangement. No funds shall be paid to any person, corporation, agency, governmental entity or political subdivision without compliance with such rules and regulations.

The rules and regulations governing purchase of care shall describe categories and types of service deemed appropriate for purchase by the Department.

Any provider of services under this Act may elect to receive payment for those services, and the Department is authorized to arrange for that payment, by means of direct deposit transmittals to the service provider's account maintained at a bank, savings and loan association, or other financial institution. The financial institution shall be approved by the Department, and the deposits shall be in accordance with rules and regulations adopted by the Department.

(Source: P.A. 89-507, eff. 7-1-97; 90-423, eff. 8-15-97.)

Section 10. The Hospital Licensing Act is amended by adding Section 6.19 as follows:

(210 ILCS 5/6.19 new)

Sec. 6.19. Use of restraints. Each hospital licensed under this Act must have a written policy to address the use of restraints and seclusion in the hospital. The Department shall establish, by rule, the provisions that the policy must include, which, to the extent practicable, should be consistent with the requirements of the federal Medicare program.

For freestanding psychiatric hospitals and psychiatric units in general hospitals, restraints or seclusion shall only be ordered by persons as authorized under the Mental Health and Developmental Disabilities Code.

For general hospitals, excluding freestanding psychiatric hospitals and psychiatric units in general hospitals, restraints or seclusion may only be employed upon the written order of:

(1) a physician licensed to practice medicine in all its branches;

(2) a physician assistant as authorized under the Physician Assistant Practice Act of 1987 or an advanced practice nurse as authorized under the Nursing and Advanced Practice Nursing Act; or

(3) a registered nurse, provided that the medical staff of the hospital has adopted a policy authorizing such practice and specifying the requirements that a registered nurse must satisfy to order the use of restraints or seclusion.

Section 15. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Sections 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8 as follows:

(210 ILCS 30/6.2) (from Ch. 111 1/2, par. 4166.2)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.2. Inspector General.

(a) The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary of Human Services and the

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Governor. The Inspector General shall function independently within the Department of Human Services with respect to the operations of the office, including the performance of investigations and issuance of findings and recommendations. The Inspector General shall independently submit to the Governor any request for appropriations necessary for the ordinary and contingent expenses of the Office of Inspector General, and appropriations for that office shall be separate from the Department of Human Services. The Inspector General shall investigate reports of suspected abuse or neglect (as those terms are defined in Section 3 of this Act) of patients or residents in any mental health or developmental disabilities facility operated by the Department of Human Services and shall have authority to investigate and take immediate action on reports of abuse or neglect of recipients, whether patients or residents, in any mental health or developmental disabilities facility or program that is licensed or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or that is funded by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) and is not licensed or certified by any agency of the State. At the specific, written request of an agency of the State other than the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), the Inspector General may cooperate in investigating reports of abuse and neglect of persons with mental illness or persons with developmental disabilities. The Inspector General shall have no supervision over or involvement in routine, programmatic, licensure, or certification operations of the Department of Human Services or any of its funded agencies.

The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations of abuse and neglect and initiating, conducting, and completing investigations. The promulgated rules shall clearly set forth that in instances where 2 or more State agencies could investigate an allegation of abuse or neglect, the Inspector General shall not conduct an investigation that is redundant to an investigation conducted by another State agency. The rules shall establish criteria for determining, based upon the nature of the allegation, the appropriate method of investigation, which may include, but need not be limited to, site visits, telephone contacts, or requests for written responses from agencies. The rules shall also clarify how the Office of the Inspector General shall interact with the licensing unit of the Department of Human Services in investigations of allegations of abuse or neglect. Any allegations or investigations of reports made pursuant to this Act shall remain confidential until a final report is completed. The resident or patient who allegedly was abused or neglected and his or her legal guardian shall be informed by the facility or agency of the report of alleged abuse or neglect. Final reports regarding unsubstantiated or unfounded allegations shall remain confidential, except that final reports may be disclosed pursuant to Section 6 of this Act.

~~The Inspector General shall be appointed for a term of 4 years.~~

(b) The Inspector General shall within 24 hours after receiving a report of suspected abuse or neglect determine whether the evidence indicates that any possible criminal act has been committed. If he determines that a possible criminal act has been committed, or that special expertise is required in the investigation, he shall immediately notify the Department of State Police. The Department of State Police shall investigate any report indicating a possible murder, rape, or other felony. All investigations conducted by the

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Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(b-5) The Inspector General shall make a determination to accept or reject a preliminary report of the investigation of alleged abuse or neglect based on established investigative procedures. The facility or agency may request clarification or reconsideration based on additional information. For cases where the allegation of abuse or neglect is substantiated, the Inspector General shall require the facility or agency to submit a written response. The written response from a facility or agency shall address in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action.

(c) The Inspector General shall, within 10 calendar days after the transmittal date of a completed investigation where abuse or neglect is substantiated or administrative action is recommended, provide a complete report on the case to the Secretary of Human Services and to the agency in which the abuse or neglect is alleged to have happened. The complete report shall include a written response from the agency or facility operated by the State to the Inspector General that addresses in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action. The Secretary of Human Services shall accept or reject the response and establish how the Department will determine whether the facility or program followed the approved response. The Secretary may require Department personnel to visit the facility or agency for training, technical assistance, programmatic, licensure, or certification purposes. Administrative action, including sanctions, may be applied should the Secretary reject the response or should the facility or agency fail to follow the approved response. Within 30 days after the Secretary has approved a response, the facility or agency making the response shall provide an implementation report to the Inspector General on the status of the corrective action implemented. Within 60 days after receiving the implementation report, the Inspector General shall conduct an investigation, which may include, but need not be limited to, site visits, telephone contacts, or requests for written documentation from the facility or agency, to determine whether the facility or agency is in compliance with the approved response. The facility or agency shall inform the resident or patient and the legal guardian whether the reported allegation was substantiated, unsubstantiated, or unfounded. There shall be an appeals process for any person or agency that is subject to any action based on a recommendation or recommendations.

(d) The Inspector General may recommend to the Departments of Public Health and Human Services sanctions to be imposed against mental health and developmental disabilities facilities under the jurisdiction of the Department of Human Services for the protection of residents, including appointment of on-site monitors or receivers, transfer or relocation of residents, and closure of units. The Inspector General may seek the assistance of the Attorney General or any of the several State's attorneys in imposing such sanctions. Whenever the Inspector General issues any recommendations to the Secretary of Human Services, the Secretary shall provide a written response.

(e) The Inspector General shall establish and conduct periodic

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training programs for Department of Human Services employees concerning the prevention and reporting of neglect and abuse.

(f) The Inspector General shall at all times be granted access to any mental health or developmental disabilities facility operated by the Department of Human Services, shall establish and conduct unannounced site visits to those facilities at least once annually, and shall be granted access, for the purpose of investigating a report of abuse or neglect, to the records of the Department of Human Services and to any facility or program funded by the Department of Human Services that is subject under the provisions of this Section to investigation by the Inspector General for a report of abuse or neglect.

(g) Nothing in this Section shall limit investigations by the Department of Human Services that may otherwise be required by law or that may be necessary in that Department's capacity as the central administrative authority responsible for the operation of State mental health and developmental disability facilities.

~~(h) This Section is repealed on January 1, 2002.~~
(Source: P.A. 90-252, eff. 7-29-97; 90-512, eff. 8-22-97; 90-655, eff. 7-30-98; 91-169, eff. 7-16-99.)

(210 ILCS 30/6.3) (from Ch. 111 1/2, par. 4166.3)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.3. Quality Care Board. There is created, within the Department of Human Services¹ Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or developmentally disabled. Two members appointed by the Governor shall be persons with a disability or a parent of a person with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

~~This Section is repealed on January 1, 2002.~~
(Source: P.A. 91-169, eff. 7-16-99.)

(210 ILCS 30/6.4) (from Ch. 111 1/2, par. 4166.4)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.4. Scope and function of the Quality Care Board. The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to assure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged neglect and abuse.

(2) Review existing regulations relating to the operation of facilities under the control of the Department of Human Services.

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(3) Advise the Inspector General as to the content of training activities authorized under Section 6.2.

(4) Recommend policies concerning methods for improving the intergovernmental relationships between the office of the Inspector General and other State or federal agencies.

~~This Section is repealed on January 1, 2002.~~

(Source: P.A. 91-169, eff. 7-16-99.)

(210 ILCS 30/6.5) (from Ch. 111 1/2, par. 4166.5)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.5. Investigators. ~~Within 60 days after the effective date of this amendatory Act of 1992,~~ The Inspector General shall establish a comprehensive program to ensure that every person employed or newly hired to conduct investigations shall receive training on an on-going basis concerning investigative techniques, communication skills, and the appropriate means of contact with persons admitted or committed to the mental health or developmental disabilities facilities under the jurisdiction of the Department of Human Services.

~~This Section is repealed on January 1, 2002.~~

(Source: P.A. 91-169, eff. 7-16-99.)

(210 ILCS 30/6.6) (from Ch. 111 1/2, par. 4166.6)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.6. Subpoenas; testimony; penalty. The Inspector General shall have the power to subpoena witnesses and compel the production of books and papers pertinent to an investigation authorized by this Act, provided that the power to subpoena or to compel the production of books and papers shall not extend to the person or documents of a labor organization or its representatives insofar as the person or documents of a labor organization relate to the function of representing an employee subject to investigation under this Act. Mental health records of patients shall be confidential as provided under the Mental Health and Developmental Disabilities Confidentiality Act. Any person who fails to appear in response to a subpoena or to answer any question or produce any books or papers pertinent to an investigation under this Act, except as otherwise provided in this Section, or who knowingly gives false testimony in relation to an investigation under this Act is guilty of a Class A misdemeanor.

~~This Section is repealed on January 1, 2002.~~

(Source: P.A. 91-169, eff. 7-16-99.)

(210 ILCS 30/6.7) (from Ch. 111 1/2, par. 4166.7)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.7. Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to residents of institutions under the jurisdiction of the Department of Human Services. The report shall detail the imposition of sanctions and the final disposition of those recommendations. The summaries shall not contain any confidential or identifying information concerning the subjects of the reports and investigations. The report shall also include a trend analysis of the number of reported allegations and their disposition, for each facility and Department-wide, for the most recent 3-year time period and a statement, for each facility, of the staffing-to-patient ratios. The ratios shall include only the number of direct care staff. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

~~This Section is repealed on January 1, 2002.~~

(Source: P.A. 91-169, eff. 7-16-99.)

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(210 ILCS 30/6.8) (from Ch. 111 1/2, par. 4166.8)

(Section scheduled to be repealed on January 1, 2002)

Sec. 6.8. Program audit. The Auditor General shall conduct a biennial program audit of the office of the Inspector General in relation to the Inspector General's compliance with this Act. The audit shall specifically include the Inspector General's effectiveness in investigating reports of alleged neglect or abuse of residents in any facility operated by the Department of Human Services and in making recommendations for sanctions to the Departments of Human Services and Public Health. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 of each odd-numbered year.

~~This Section is repealed on January 1, 2002.~~

(Source: P.A. 91-169, eff. 7-16-99.)

Section 20. The Nursing Home Care Act is amended by changing Sections 2-106 and 2-106.1 as follows:

(210 ILCS 45/2-106) (from Ch. 111 1/2, par. 4152-106)

Sec. 2-106. (a) For purposes of this Act, (i) a physical restraint is any manual method or physical or mechanical device, material, or equipment attached or adjacent to a resident's body that the resident cannot remove easily and restricts freedom of movement or normal access to one's body; (ii) a chemical restraint is any drug used for discipline or convenience and not required to treat medical symptoms. The Department shall by rule, designate certain devices as restraints, including at least all those devices which have been determined to be restraints by the United States Department of Health and Human Services in interpretive guidelines issued for the purposes of administering Titles 18 and 19 of the Social Security Acts.

(b) Neither restraints nor confinements shall be employed for the purpose of punishment or for the convenience of any facility personnel. No restraints or confinements shall be employed except as ordered by a physician who documents the need for such restraints or confinements in the resident's clinical record. Whenever a resident is restrained, a member of the facility staff shall remain with the resident at all times unless the resident has been confined. A resident who is restrained and confined shall be observed by a qualified person as often as is clinically appropriate but in no event less often than once every 15 minutes.

(c) A restraint may be used only with the informed consent of the resident, the resident's guardian, or other authorized representative. A restraint may be used only for specific periods, if it is the least restrictive means necessary to attain and maintain the resident's highest practicable physical, mental or psychosocial well-being, including brief periods of time to provide necessary life-saving treatment. A restraint may be used only after consultation with appropriate health professionals, such as occupational or physical therapists, and a trial of less restrictive measures has led to the determination that the use of less restrictive measures would not attain or maintain the resident's highest practicable physical, mental or psychosocial well-being. However, if the resident needs emergency care, restraints may be used for brief periods to permit medical treatment to proceed unless the facility has notice that the resident has previously made a valid refusal of the treatment in question.

(d) A restraint may be applied only by a person trained in the application of the particular type of restraint.

(e) Whenever a period of use of a restraint is initiated, the resident shall be advised of his or her right to have a person or organization of his or her choosing, including the Guardianship and

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Advocacy Commission, notified of the use of the restraint. A recipient who is under guardianship may request that a person or organization of his or her choosing be notified of the restraint, whether or not the guardian approves the notice. If the resident so chooses, the facility shall make the notification within 24 hours, including any information about the period of time that the restraint is to be used. Whenever the Guardianship and Advocacy Commission is notified that a resident has been restrained, it shall contact the resident to determine the circumstances of the restraint and whether further action is warranted.

(f) Whenever a restraint is used on a resident whose primary mode of communication is sign language, the resident shall be permitted to have his or her hands free from restraint for brief periods each hour, except when this freedom may result in physical harm to the resident or others.

(g) The requirements of this Section are intended to control in any conflict with the requirements of Sections 1-126 and 2-108 of the Mental Health and Developmental Disabilities Code.

(Source: P.A. 88-413.)

(210 ILCS 45/2-106.1)

Sec. 2-106.1. Drug treatment.

(a) A resident shall not be given unnecessary drugs. An unnecessary drug is any drug used in an excessive dose, including in duplicative therapy; for excessive duration; without adequate monitoring; without adequate indications for its use; or in the presence of adverse consequences that indicate the drugs should be reduced or discontinued. The Department shall adopt, by rule, the standards for unnecessary drugs contained in interpretive guidelines issued by the United States Department of Health and Human Services for the purposes of administering titles 18 and 19 of the Social Security Act.

(b) Psychotropic medication shall not be prescribed without the informed consent of the resident, the resident's guardian, or other authorized representative. "Psychotropic medication" means medication that is used for or listed as used for antipsychotic, antidepressant, antimanic, or antianxiety behavior modification or behavior management purposes in the latest editions of the AMA Drug Evaluations or the Physician's Desk Reference.

(c) The requirements of this Section are intended to control in a conflict with the requirements of Sections ~~2-102~~ 1-102 and 2-107.2 of the Mental Health and Developmental Disabilities Code with respect to the administration of psychotropic medication.

(Source: P.A. 88-413.)

Section 25. The Nursing and Advanced Practice Nursing Act is amended by changing Section 5-10 as follows:

(225 ILCS 65/5-10)

Sec. 5-10. Definitions. Each of the following terms, when used in this Act, shall have the meaning ascribed to it in this Section, except where the context clearly indicates otherwise:

(a) "Department" means the Department of Professional Regulation.

(b) "Director" means the Director of Professional Regulation.

(c) "Board" means the Board of Nursing appointed by the Director.

(d) "Academic year" means the customary annual schedule of courses at a college, university, or approved school, customarily regarded as the school year as distinguished from the calendar year.

(e) "Approved program of professional nursing education" and "approved program of practical nursing education" are programs of professional or practical nursing, respectively, approved by the

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Department under the provisions of this Act.

(f) "Nursing Act Coordinator" means a registered professional nurse appointed by the Director to carry out the administrative policies of the Department.

(g) "Assistant Nursing Act Coordinator" means a registered professional nurse appointed by the Director to assist in carrying out the administrative policies of the Department.

(h) "Registered" is the equivalent of "licensed".

(i) "Practical nurse" or "licensed practical nurse" means a person who is licensed as a practical nurse under this Act and practices practical nursing as defined in paragraph (j) of this Section. Only a practical nurse licensed under this Act is entitled to use the title "licensed practical nurse" and the abbreviation "L.P.N.".

(j) "Practical nursing" means the performance of nursing acts requiring the basic nursing knowledge, judgment, and skill acquired by means of completion of an approved practical nursing education program. Practical nursing includes assisting in the nursing process as delegated by and under the direction of a registered professional nurse. The practical nurse may work under the direction of a licensed physician, dentist, podiatrist, or other health care professional determined by the Department.

(k) "Registered Nurse" or "Registered Professional Nurse" means a person who is licensed as a professional nurse under this Act and practices nursing as defined in paragraph (l) of this Section. Only a registered nurse licensed under this Act is entitled to use the titles "registered nurse" and "registered professional nurse" and the abbreviation, "R.N.".

(l) "Registered professional nursing practice" includes all nursing specialties and means the performance of any nursing act based upon professional knowledge, judgment, and skills acquired by means of completion of an approved registered professional nursing education program. A registered professional nurse provides nursing care emphasizing the importance of the whole and the interdependence of its parts through the nursing process to individuals, groups, families, or communities, that includes but is not limited to: (1) the assessment of healthcare needs, nursing diagnosis, planning, implementation, and nursing evaluation; (2) the promotion, maintenance, and restoration of health; (3) counseling, patient education, health education, and patient advocacy; (4) the administration of medications and treatments as prescribed by a physician licensed to practice medicine in all of its branches, a licensed dentist, a licensed podiatrist, or a licensed optometrist or as prescribed by a physician assistant in accordance with written guidelines required under the Physician Assistant Practice Act of 1987 or by an advanced practice nurse in accordance with a written collaborative agreement required under the Nursing and Advanced Practice Nursing Act; (5) the coordination and management of the nursing plan of care; (6) the delegation to and supervision of individuals who assist the registered professional nurse implementing the plan of care; and (7) teaching and supervision of nursing students; and (8) the ordering of restraint or seclusion as authorized under the Hospital Licensing Act. The foregoing shall not be deemed to include those acts of medical diagnosis or prescription of therapeutic or corrective measures that are properly performed only by physicians licensed in the State of Illinois.

(m) "Current nursing practice update course" means a planned nursing education curriculum approved by the Department consisting of activities that have educational objectives, instructional methods, content or subject matter, clinical practice, and evaluation methods,

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related to basic review and updating content and specifically planned for those nurses previously licensed in the United States or its territories and preparing for reentry into nursing practice.

(n) "Professional assistance program for nurses" means a professional assistance program that meets criteria established by the Board of Nursing and approved by the Director, which provides a non-disciplinary treatment approach for nurses licensed under this Act whose ability to practice is compromised by alcohol or chemical substance addiction.

(Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98; 90-655, eff. 7-30-98; 90-742, eff. 8-13-98.)

Section 99. Effective date. This Section, Sections 10 and 25, the changes to Sections 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8 of the Abused and Neglected Long Term Care Facility Residents Reporting Act, and the changes to Section 3-203 of the Nursing Home Care Act take effect upon becoming law."

AMENDMENT NO. 2 TO SENATE BILL 624

AMENDMENT NO. 2. Amend Senate Bill 624, AS AMENDED, by inserting immediately below the last line of Section 25 the following:

"Section 90. The Unified Code of Corrections is amended by changing Section 5-2-4 as follows:

(730 ILCS 5/5-2-4) (from Ch. 38, par. 1005-2-4)

Sec. 5-2-4. Proceedings after Acquittal by Reason of Insanity.

(a) After a finding or verdict of not guilty by reason of insanity under Sections 104-25, 115-3 or 115-4 of The Code of Criminal Procedure of 1963, the defendant shall be ordered to the Department of Human Services for an evaluation as to whether he is subject to involuntary admission or in need of mental health services. The order shall specify whether the evaluation shall be conducted on an inpatient or outpatient basis. If the evaluation is to be conducted on an inpatient basis, the defendant shall be placed in a secure setting unless the Court determines that there are compelling reasons why such placement is not necessary. After the evaluation and during the period of time required to determine the appropriate placement, the defendant shall remain in jail. Upon completion of the placement process the sheriff shall be notified and shall transport the defendant to the designated facility.

The Department shall provide the Court with a report of its evaluation within 30 days of the date of this order. The Court shall hold a hearing as provided under the Mental Health and Developmental Disabilities Code to determine if the individual is: (a) subject to involuntary admission; (b) in need of mental health services on an inpatient basis; (c) in need of mental health services on an outpatient basis; (d) a person not in need of mental health services. The Court shall enter its findings.

If the defendant is found to be subject to involuntary admission or in need of mental health services on an inpatient care basis, the Court shall order the defendant to the Department of Human Services. The defendant shall be placed in a secure setting unless the Court determines that there are compelling reasons why such placement is not necessary. Such defendants placed in a secure setting shall not be permitted outside the facility's housing unit unless escorted or accompanied by personnel of the Department of Human Services or with the prior approval of the Court for unsupervised on-grounds privileges as provided herein. Any defendant placed in a secure setting pursuant to this Section, transported to court hearings or other necessary appointments off facility grounds by personnel of the Department of Human Services, may be placed in security devices or otherwise secured during the period of transportation to assure

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secure transport of the defendant and the safety of Department of Human Services personnel and others. These security measures shall not constitute restraint as defined in the Mental Health and Developmental Disabilities Code. If the defendant is found to be in need of mental health services, but not on an inpatient care basis, the Court shall conditionally release the defendant, under such conditions as set forth in this Section as will reasonably assure the defendant's satisfactory progress in treatment or rehabilitation and the safety of the defendant or others. If the Court finds the person not in need of mental health services, then the Court shall order the defendant discharged from custody.

(1) Definitions: For the purposes of this Section:

(A) "Subject to involuntary admission" means: a defendant has been found not guilty by reason of insanity; and

(i) who is mentally ill and who because of his mental illness is reasonably expected to inflict serious physical harm upon himself or another in the near future; or

(ii) who is mentally ill and who because of his illness is unable to provide for his basic physical needs so as to guard himself from serious harm.

(B) "In need of mental health services on an inpatient basis" means: a defendant who has been found not guilty by reason of insanity who is not subject to involuntary admission but who is reasonably expected to inflict serious physical harm upon himself or another and who would benefit from inpatient care or is in need of inpatient care.

(C) "In need of mental health services on an outpatient basis" means: a defendant who has been found not guilty by reason of insanity who is not subject to involuntary admission or in need of mental health services on an inpatient basis, but is in need of outpatient care, drug and/or alcohol rehabilitation programs, community adjustment programs, individual, group, or family therapy, or chemotherapy.

(D) "Conditional Release" means: the release from either the custody of the Department of Human Services or the custody of the Court of a person who has been found not guilty by reason of insanity under such conditions as the Court may impose which reasonably assure the defendant's satisfactory progress in treatment or habilitation and the safety of the defendant and others. The Court shall consider such terms and conditions which may include, but need not be limited to, outpatient care, alcoholic and drug rehabilitation programs, community adjustment programs, individual, group, family, and chemotherapy, periodic checks with the legal authorities and/or the Department of Human Services.

The Court may order the Department of Human Services to provide care to any person conditionally released under this Section. The Department may contract with any public or private agency in order to discharge any responsibilities imposed under this Section. The contracting process shall require services to be identified in a treatment plan, the resource requirements to provide those services, the parties responsible for providing those resources, and the process for securing future treatment and supportive service and resource needs. The Department shall monitor the provision of services to persons conditionally released under this Section and provide periodic reports to the Court concerning the services and the condition of the defendant. Whenever a person is conditionally released pursuant to this Section, the State's Attorney for the county in which the hearing is held shall designate in writing the name, telephone number, and address of a person employed by him or her who shall be

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notified in the event that either the reporting agency or the Department decide that the conditional release of the defendant should be revoked or modified pursuant to subsection (i) of this Section. The person or facility rendering the outpatient care shall be required to periodically report to the Court on the progress of the defendant. Such conditional release shall be for a period of five years. However, unless the defendant, the person or facility rendering the treatment, therapy, program or outpatient care, the Department or the State's Attorney may petition petitions the Court for an extension of the conditional release period for an additional 5 three years. Upon receipt of such a petition, the Court shall hold a hearing consistent with the provisions of this paragraph (a) and paragraph (f) of this Section, shall determine whether the defendant should continue to be subject to the terms of conditional release, and shall enter an order either extending the defendant's period of conditional release for an a--single additional 5 three year period or discharging the defendant. Additional 5 year periods of conditional release may be ordered following a hearing as provided in this Section. However, in no event shall the defendant's period of conditional release continue beyond the maximum period of commitment ordered by the Court pursuant to paragraph (b) of this Section exceed--eight---years. These provisions for extension of conditional release shall only apply to defendants conditionally released on or after the effective date of this amendatory Act of the 92nd General Assembly July-1, 1979. However the extension provisions of Public Act 83-1449 apply only to defendants charged with a forcible felony.

(E) "Facility director" means the chief officer of a mental health or developmental disabilities facility or his or her designee or the supervisor of a program of treatment or habilitation or his or her designee. "Designee" may include a physician, clinical psychologist, social worker, or nurse.

(b) If the Court finds the defendant subject to involuntary admission or in need of mental health services on an inpatient basis, the admission, detention, care, treatment or habilitation, treatment plans, review proceedings, including review of treatment and treatment plans, and discharge of the defendant after such order shall be under the Mental Health and Developmental Disabilities Code, except that the initial order for admission of a defendant acquitted of a felony by reason of insanity shall be for an indefinite period of time. Such period of commitment shall not exceed the maximum length of time that the defendant would have been required to serve, less credit for good behavior, before becoming eligible for release had he been convicted of and received the maximum sentence for the most serious crime for which he has been acquitted by reason of insanity. The Court shall determine the maximum period of commitment by an appropriate order. During this period of time, the defendant shall not be permitted to be in the community in any manner, including but not limited to off-grounds privileges, with or without escort by personnel of the Department of Human Services, unsupervised on-grounds privileges, discharge or conditional or temporary release, except by a plan as provided in this Section. In no event shall a defendant's continued unauthorized absence be a basis for discharge. Not more than 30 days after admission and every 60 days thereafter so long as the initial order remains in effect, the facility director shall file a treatment plan report with the court and forward a copy of the treatment plan report to the clerk of the court, the State's Attorney, and the defendant's attorney, if the defendant is represented by counsel, or to a person authorized by the defendant

under the Mental Health and Developmental Disabilities Confidentiality Act to be sent a copy of the report. The report shall include an opinion as to whether the defendant is currently subject to involuntary admission, in need of mental health services on an inpatient basis, or in need of mental health services on an outpatient basis. The report shall also summarize the basis for those findings and provide a current summary of the following items from the treatment plan: (1) an assessment of the defendant's treatment needs, (2) a description of the services recommended for treatment, (3) the goals of each type of element of service, (4) an anticipated timetable for the accomplishment of the goals, and (5) a designation of the qualified professional responsible for the implementation of the plan. The report may also include unsupervised on-grounds privileges, off-grounds privileges (with or without escort by personnel of the Department of Human Services), home visits and participation in work programs, but only where such privileges have been approved by specific court order, which order may include such conditions on the defendant as the Court may deem appropriate and necessary to reasonably assure the defendant's satisfactory progress in treatment and the safety of the defendant and others.

(c) Every defendant acquitted of a felony by reason of insanity and subsequently found to be subject to involuntary admission or in need of mental health services shall be represented by counsel in all proceedings under this Section and under the Mental Health and Developmental Disabilities Code.

(1) The Court shall appoint as counsel the public defender or an attorney licensed by this State.

(2) Upon filing with the Court of a verified statement of legal services rendered by the private attorney appointed pursuant to paragraph (1) of this subsection, the Court shall determine a reasonable fee for such services. If the defendant is unable to pay the fee, the Court shall enter an order upon the State to pay the entire fee or such amount as the defendant is unable to pay from funds appropriated by the General Assembly for that purpose.

(d) When the facility director determines that:

(1) the defendant is no longer subject to involuntary admission or in need of mental health services on an inpatient basis; and

(2) the defendant may be conditionally released because he or she is still in need of mental health services or that the defendant may be discharged as not in need of any mental health services; or

(3) the defendant no longer requires placement in a secure setting;

the facility director shall give written notice to the Court, State's Attorney and defense attorney. Such notice shall set forth in detail the basis for the recommendation of the facility director, and specify clearly the recommendations, if any, of the facility director, concerning conditional release. Any recommendation for conditional release shall include an evaluation of the defendant's need for psychotropic medication, what provisions should be made, if any, to insure that the defendant will continue to receive psychotropic medication following discharge and what provisions should be made to assure the safety of the defendant and others in the event the defendant is no longer receiving psychotropic medication. Within 30 days of the notification by the facility director, the Court shall set a hearing and make a finding as to whether the defendant is:

(i) subject to involuntary admission; or

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- (ii) in need of mental health services in the form of inpatient care; or
- (iii) in need of mental health services but not subject to involuntary admission or inpatient care; or
- (iv) no longer in need of mental health services; or
- (v) no longer requires placement in a secure setting.

Upon finding by the Court, the Court shall enter its findings and such appropriate order as provided in subsection (a) of this Section.

(e) A defendant admitted pursuant to this Section, or any person on his behalf, may file a petition for treatment plan review, transfer to a non-secure setting within the Department of Human Services or discharge or conditional release under the standards of this Section in the Court which rendered the verdict. Upon receipt of a petition for treatment plan review, transfer to a non-secure setting or discharge or conditional release, the Court shall set a hearing to be held within 120 days. Thereafter, no new petition may be filed for 120 days without leave of the Court.

(f) The Court shall direct that notice of the time and place of the hearing be served upon the defendant, the facility director, the State's Attorney, and the defendant's attorney. If requested by either the State or the defense or if the Court feels it is appropriate, an impartial examination of the defendant by a psychiatrist or clinical psychologist as defined in Section 1-103 of the Mental Health and Developmental Disabilities Code who is not in the employ of the Department of Human Services shall be ordered, and the report considered at the time of the hearing.

(g) The findings of the Court shall be established by clear and convincing evidence. The burden of proof and the burden of going forth with the evidence rest with the defendant or any person on the defendant's behalf when a hearing is held to review the determination of the facility director that the defendant should be transferred to a non-secure setting, discharged, or conditionally released or when a hearing is held to review a petition filed by or on behalf of the defendant. The evidence shall be presented in open Court with the right of confrontation and cross-examination.

(h) Before the Court orders that the defendant be discharged or conditionally released, it shall order the facility director to establish a discharge plan that includes a plan for the defendant's shelter, support, and medication. If appropriate, the Court shall order that the facility director establish a program to train the defendant in self-medication under standards established by the Department of Human Services. If the Court finds that the defendant is no longer in need of mental health services it shall order the facility director to discharge the defendant. If the Court finds that the defendant is in need of mental health services, and no longer in need of inpatient care, it shall order the facility director to release the defendant under such conditions as the Court deems appropriate and as provided by this Section. Such conditional release shall be imposed for a period of five years and shall be subject to later modification by the Court as provided by this Section. If the Court finds that the defendant is subject to involuntary admission or in need of mental health services on an inpatient basis, it shall order the facility director not to discharge or release the defendant in accordance with paragraph (b) of this Section.

(i) If within the period of the defendant's conditional release, the State's Attorney determines that the defendant has not fulfilled the conditions of his or her release, the State's Attorney may petition the Court to revoke or modify the conditional release of the defendant. Upon the filing of such petition the defendant may be

remanded to the custody of the Department, or to any other mental health facility designated by the Department, pending the resolution of the petition. Nothing in this Section shall prevent the emergency admission of a defendant pursuant to Article VI of Chapter III of the Mental Health and Developmental Disabilities Code or the voluntary admission of the defendant pursuant to Article IV of Chapter III of the Mental Health and Developmental Disabilities Code. If the Court determines, after hearing evidence, that the defendant has not fulfilled the conditions of release, the Court shall order a hearing to be held consistent with the provisions of paragraph (f) and (g) of this Section. At such hearing, if the Court finds that the defendant is subject to involuntary admission or in need of mental health services on an inpatient basis, it shall enter an order remanding him or her to the Department of Human Services or other facility. If the defendant is remanded to the Department of Human Services, he or she shall be placed in a secure setting unless the Court determines that there are compelling reasons that such placement is not necessary. If the Court finds that the defendant continues to be in need of mental health services but not on an inpatient basis, it may modify the conditions of the original release in order to reasonably assure the defendant's satisfactory progress in treatment and his or her safety and the safety of others in accordance with the standards established in paragraph (1) (D) of subsection (a). In no event shall such conditional release be longer than eight years. Nothing in this Section shall limit a Court's contempt powers or any other powers of a Court.

(j) An order of admission under this Section does not affect the remedy of habeas corpus.

(k) In the event of a conflict between this Section and the Mental Health and Developmental Disabilities Code or the Mental Health and Developmental Disabilities Confidentiality Act, the provisions of this Section shall govern.

(l) This amendatory Act shall apply to all persons who have been found not guilty by reason of insanity and who are presently committed to the Department of Mental Health and Developmental Disabilities (now the Department of Human Services).

(m) The Clerk of the Court shall, after the entry of an order of transfer to a non-secure setting of the Department of Human Services or discharge or conditional release, transmit a certified copy of the order to the Department of Human Services, and the sheriff of the county from which the defendant was admitted. ~~In cases where the arrest of the defendant or the commission of the offense took place in any municipality with a population of more than 25,000 persons,~~ The Clerk of the Court shall also transmit a certified copy of the order of discharge or conditional release to the Illinois Department of State Police, to the proper law enforcement agency for the said municipality where the offense took place and to the sheriff of the county into which the defendant is conditionally discharged. The Illinois Department of State Police shall maintain a centralized record of discharged or conditionally released defendants while they are under court supervision for access and use of appropriate law enforcement agencies provided the municipality has requested such notice in writing.

(Source: P.A. 90-105, eff. 7-11-97; 90-593, eff. 6-19-98; 91-536, eff. 1-1-00; 91-770, eff. 1-1-01)."

Under the rules, the foregoing Senate Bill No. 624, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

[May 2, 2001]

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO 195
A bill for AN ACT concerning civil procedure.
SENATE BILL NO 290
A bill for AN ACT concerning Selective Service registration.
SENATE BILL NO 316
A bill for AN ACT concerning libraries.
SENATE BILL NO 319
A bill for AN ACT relating to insurance.
SENATE BILL NO 360
A bill for AN ACT concerning townships.
SENATE BILL NO 437
A bill for AN ACT in relation to health.
SENATE BILL NO 448
A bill for AN ACT concerning snowmobile registration and safety.
SENATE BILL NO 556
A bill for AN ACT concerning education.
SENATE BILL NO 751
A bill for AN ACT concerning professional regulation.
SENATE BILL NO 859
A bill for AN ACT in relation to emergency management assistance.

Passed the House, May 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO 864
A bill for AN ACT concerning reinsurance.
SENATE BILL NO 866
A bill for AN ACT concerning insurance coverage relating to mastectomies and mammograms.
SENATE BILL NO 943
A bill for AN ACT in relation to insurance.
SENATE BILL NO 1019
A bill for AN ACT concerning employment.
SENATE BILL NO 1035
A bill for AN ACT in relation to education.

Passed the House, May 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

LEGISLATIVE MEASURE FILED

The following floor amendment to the House Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 2 to House Bill 1069

[May 2, 2001]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES
A FIRST TIME

House Bill No. 163, sponsored by Senator O'Daniel was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 644, sponsored by Senator E. Jones was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1270, sponsored by Senators Syverson - Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1640, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2122, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2244, sponsored by Senator Mahar was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2535, sponsored by Senator Karpiel was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3140, sponsored by Senator Molaro was taken up, read by title a first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 126

Offered by Senator Parker and all Senators:
Mourns the death of Robert D. Jones of Winnetka.

SENATE RESOLUTION NO. 127

Offered by Senators Philip - Sullivan and all Senators:
Mourns the death of Lynda Lee Ladley of Springfield.

SENATE RESOLUTION NO. 128

Offered by Senator L. Madigan and all Senators:
Mourns the death of Charlie Soo of Chicago.

The foregoing resolutions were referred to the Resolutions Consent Calendar.

Senators Philip - Weaver - Geo-Karis - Donahue - Watson, Dudycz, Karpiel, Petka offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 29

WHEREAS, Members of the General Assembly have been involved with hunting dog field trialing over the past several years and have assisted Illinois citizens with matters involving preserving, enhancing, and expanding the sport of field trialing on public land; and

WHEREAS, The General Assembly enacted Public Act 87-1051 which designated several public sites for hunting dog field trialing and provided appropriate periods of time for these field trials to be

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held; and

WHEREAS, Members of the General Assembly have interceded on behalf of Illinois citizens to resolve matters in dispute with State and federal agencies; and

WHEREAS, The General Assembly realizes that the sport of field trialing has a long and well established history in Illinois dating back to prestigious events such as the American Field Quail Futurity and the All-American Quail Championship, trials no longer held in Illinois; and

WHEREAS, The sport of field trialing has avid followers from around the United States from which Illinois receives economic benefit; the sport of field trialing has been in some decline in Illinois due to the loss of public land on which to contest the sport; through positive action, the State of Illinois can once again become a leader in the sport; and

WHEREAS, There is a compelling need to provide a bright future for the sport of field trialing for future generations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Department of Natural Resources is strongly encouraged to develop the recently acquired Perry County area for horseback and other field trials, and to devote enough acreage on the Perry County area to develop six championship horseback field trial courses of sufficient length and quality to ensure field trials of the highest order can be contested; and be it further

RESOLVED, That the most modern habitat restoration and management practices be employed on the Perry County area to develop wild game and gamebird populations of a magnitude to support these field trials; that field trial facilities of sufficient quality and number including stables, parking lots, pastures, dog kennels, clubhouses, and other such facilities, as may be required, be developed in the Perry County area; and that priority be given to field trial interests in the Perry County area; and be it further

RESOLVED, The Department of Natural Resources is strongly encouraged to consider additional land acquisition in Hamilton County in the vicinity of its existing properties to expand field trialing where the sport has enjoyed a long history; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Department of Natural Resources.

Senators L. Madigan - Ronen - Obama - Smith offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 30

WHEREAS, Teenagers with their ready access to the motor vehicle have become increasingly mobile, adding a fluid dynamic to the manner in which teenagers consume alcohol and illicit drugs; and

WHEREAS, Alcohol and drug abuse by teenagers has not significantly declined in the past several years and remains unacceptably high and possibly, for certain groups, increasing in incidence and shifting to riskier settings; and

WHEREAS, 1,695 fifteen to nineteen year olds were killed in alcohol-related traffic fatalities in 1998 across America; and

WHEREAS, The Aluminum Anonymous Project surveyed 1,175 miles of Illinois roadsides, from around the Chicago suburbs, from Freeport to Dixon to Moline to Pontiac to Watseka, from Mattoon to Springfield to East Hannibal, from Effingham to East St. Louis, and from Olney to Mt. Vernon to Carbondale, in April and May of 1998, November of 1999,

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and April and May of 2000, for the discard rate of alcohol beverage containers; the Project found an average of 875 beer cans and beer bottles per mile of road annually; the Project followed up with "Who's Doing the Tossing?" interviews of professionals working with teens and adults in alcohol and drug settings, who collectively estimated that 50 per cent of the discarded alcohol containers were coming from teenagers; and

WHEREAS, In spite of the January, 2001 national survey of teenagers by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) that includes questions on drinking and drug use while driving and riding, perhaps for the first time at the federal level, too little is known about teenage alcohol and drug behavior after the car door closes; and

WHEREAS, The January, 2001 "Report of the U.S. Surgeon General on Youth Violence" notes that although youth violence may have peaked, it will remain a major problem; and

WHEREAS, The January, 2001 report of the National Center on Substance Abuse and Addiction (CASA), from New York, New York, entitled "Shoveling Up: Impact of Substance Abuse on State Budgets", states that only 3% of the \$2,869,000 that Illinois spends annually on substance abuse problems goes for prevention and treatment, while the remaining 97% goes for cleaning up the wreckage caused by substance abuse and addiction; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE CONCURRING HEREIN, that the Department of Human Services, in cooperation with the Department of Public Health, the Department of Transportation, and the Secretary of State, study the problem of teenage in-vehicle drinking and related drug use by:

(1) assembling what is known and not known about this behavior: its dynamic, prevalence, and incidence; and

(2) assessing the effectiveness of policies and programs, including their development, implementation, and evaluation, and gauging the adequacy of interagency cooperation, including data sharing and program support; and be it further

RESOLVED, That the Department of Human Services report to the General Assembly with a recommended plan of action regarding policy and programs that would more comprehensively incorporate teenage in-vehicle drinking and related drug use into the scope of the State's substance abuse and youth violence prevention strategies; the report to include, if appropriate, the identification of new programs along with their estimated costs; and be it further

RESOLVED, that suitable copies of this resolution be delivered to the Secretary of Human Services, the Director of Public Health, the Secretary of Transportation, and the Secretary of State.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Lauzen, House Bill No. 41 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Watson, House Bill No. 60 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Obama, House Bill No. 313 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Walsh, House Bill No. 469 having been printed, was taken up and read by title a second time.

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The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 469 by replacing the title with the following:

"AN ACT in relation to stormwater management."; and
by replacing everything after the enacting clause with the following:
"Section 5. The Property Tax Code is amended by changing Section 18-185 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for

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payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; and (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-5) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; and

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(1) made for payments of principal and interest on bonds authorized by Public Act 87-1191 and issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; and (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date).

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal

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on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; and (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date).

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum. The debt service extension base may be established or increased as provided under Section 18-212.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-215 through 18-230.

"Levy year" has the same meaning as "year" under Section 1-155.

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"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30 and (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real

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property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property. The denominator shall not include the recovered tax increment value.

(Source: P.A. 90-485, eff. 1-1-98; 90-511, eff. 8-22-97; 90-568, eff. 1-1-99; 90-616, eff. 7-10-98; 90-655, eff. 7-30-98; 91-357, eff. 7-29-99; 91-478, eff. 11-1-99.)

Section 10. The Counties Code is amended by changing Section 5-1062.1 as follows:

(55 ILCS 5/5-1062.1) (from Ch. 34, par. 5-1062.1)

Sec. 5-1062.1. Stormwater management planning councils in Cook County.

(a) Stormwater management planning in Cook County shall be conducted as provided in Section 7h of the Metropolitan Water Reclamation District Act. References in this Section to the "District" mean the Metropolitan Water Reclamation District of Greater Chicago.

The purpose of this Section is to create planning councils, organized by watershed, to contribute to the stormwater management planning process by advising the Metropolitan Water Reclamation District of Greater Chicago and representing the needs and interests of the members of the public and the local governments included within their respective watersheds. allow management and mitigation of the effects of urbanization on stormwater drainage in Cook County, and This Section applies only to Cook County. In addition, this Section is intended to improve stormwater and floodplain management in Cook County by the following:

~~(1) Setting minimum standards for floodplain and stormwater management.~~

~~(2) Preparing plans for the management of floodplains and stormwater runoff, including the management of natural and man-made drainage ways.~~

(b) ~~The purpose of this Section shall be achieved by the following:~~

~~(1) Creating 6~~ Stormwater management planning councils shall be formed for each of the following according to the established watersheds of the Chicago Metropolitan Area: North Branch Chicago River, Lower Des Plaines Tributaries, Cal-Sag Channel, Little Calumet River, Poplar Creek, and Upper Salt Creek. In addition, a stormwater management planning council shall be established for the combined sewer areas of Cook County. Additional stormwater management planning councils may be formed by the District Stormwater Management Planning Committee for other watersheds within Cook County.

Membership on the watershed councils shall consist of the chief elected official, or his or her designee, from each municipality and township within the watershed and the Cook County Board President, or his or her designee, if unincorporated area is included in the watershed. A municipality or township shall be a member of more than one watershed council if the corporate boundaries of that municipality, or township extend entered into more than one watershed, or if the municipality or township is served in part by separate sewers and combined sewers.

Subcommittees of the stormwater management planning councils may be established to assist the stormwater management planning councils in performing their duties preparing and implementing a stormwater management plan. The councils may adopt bylaws to govern the functioning of the stormwater management councils and subcommittees.

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(2) ~~Creating, by intergovernmental agreement, a county-wide Stormwater-Management-Planning-Committee with its membership consisting of the Chairman of each of the watershed management councils, the Cook County Board President or his designee, and the Northeastern Illinois Planning Commission President or his designee.~~

(c) (3) The principal duties of the watershed planning councils shall be to advise the District on the development and implementation of the countywide develop a stormwater management plan with respect to matters relating to their respective watersheds and to advise and represent the concerns of for the watershed area and to recommend the plan for adoption to the units of local government in the watershed area. The councils shall meet at least quarterly and shall hold at least one public hearing during the preparation of the plan. ~~Adoption of the watershed plan shall be by each municipality in the watershed and by vote of the County Board.~~

(d) (4) The District principal duty of the county-wide Stormwater-Management-Planning-Committee shall give careful consideration to the recommendations and concerns of the watershed planning councils throughout the planning process. ~~be to coordinate the 6 watershed plans as developed and to coordinate the planning process with the adjoining counties to ensure that recommended stormwater projects will have no significant adverse impact on the levels or flows of stormwater in the inter-county watershed or on the capacity of existing and planned stormwater retention facilities.~~ The District Committee shall identify in an annual published report steps taken by the District to accommodate the concerns and recommendations of the watershed planning councils. ~~Committee to coordinate the development of plan recommendations with adjoining counties. The Committee shall also publish a coordinated stormwater document of all activity in the Cook County area and agreed upon stormwater planning standards.~~

(5) ~~The stormwater management planning committee shall submit the coordinated watershed plans to the Office of Water Resources of the Department of Natural Resources and to the Northeastern Illinois Planning Commission for review and recommendation. The Office and the Commission, in reviewing the plan, shall consider those factors as impact on the level or flows in the rivers and streams and the cumulative effects of stormwater discharges on flood levels. The review comments and recommendations shall be submitted to the watershed councils for consideration.~~

(e) (6) The stormwater management planning councils committee may recommend rules and regulations to the District watershed councils governing the location, width, course, and release rates of all stormwater runoff channels, streams, and basins in their respective watersheds the county.

(f) (7) The Northwest Municipal Conference, the South Suburban Mayors and Managers Association, and the West Central Municipal Conference shall be responsible for the coordination of the planning councils created under this Section.

(Source: P.A. 88-649, eff. 9-16-94; 89-445, eff. 2-7-96.)

Section 15. The Metropolitan Water Reclamation District Act is amended by changing Sections 3 and 12 by adding Section 7h as follows:

(70 ILCS 2605/3) (from Ch. 42, par. 322)

Sec. 3. The corporate authority of the Sanitary District of Chicago shall consist of 9 commissioners nine trustees. Commissioners shall be elected at the general election from the same geographical subdistricts from which members of the Cook County Board of Review are elected. No political party shall limit its nominations to less than 2 candidates for commissioner in any subdistrict. In electing

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commissioners, including those for nomination, each elector may cast 3 votes for one candidate or distribute them equally among no more than 3 candidates. The candidates highest in votes shall be declared elected.

Three commissioners shall be elected from the first subdistrict in 2002 for terms of 4 years, in 2006 for terms of 4 years, and in 2010 for terms of 2 years.

Three commissioners shall be elected from the second subdistrict in 2004 for terms of 4 years and in 2008 for terms of 4 years.

Three commissioners shall be elected from the third subdistrict in 2006 for terms of 2 years and in 2008 for terms of 4 years.

Beginning with the election of commissioners in 2012, commissioners from the first subdistrict shall be elected for 4-year terms, 4-year terms, and 2-year terms; commissioners from the second subdistrict shall be elected for 4-year terms, 2-year terms, and 4-year terms; and commissioners from the third subdistrict shall be elected for 2-year terms, 4-year terms, and 4-year terms. Such trustees--shall--be--elected--for--staggered--terms--at--the election provided by the general election law.---Three--trustees--shall--be elected--at--each--such--election--to--succeed--the--3--trustees--whose--terms--expire--in--such--year.

Such commissioners trustees shall take office on the first Tuesday after the first Monday in the month following the month of their election and shall hold their offices for six years--and until their successors shall be elected and qualified. In all elections for trustees--each--elector--may--vote--for--as--many--candidates--as--there--are trustees--to--be--elected; but no elector may give--to--such--candidates more--than--one--vote; it being the intent and purpose of this Act to prohibit cumulative voting in the selection of members of--the--board of the sanitary district.

The election of commissioners trustees shall be in accordance with the provisions of the general election law.

By reason of the importance and character of the services performed by the sanitary district, there is a great need and it is in the public interest that such services be performed in as near a non-partisan character as possible.

When a vacancy exists in the office of commissioner trustees of any sanitary district organized under the provisions hereof, the vacancy shall be filled by appointment by the Governor. If 28 or fewer months remain in the term of the vacant office, the appointment shall be for the remainder of the term. If more than 28 months remain in the term of the vacant office, the appointment shall be until the next general regular election at which a commissioner shall be trustees of the Sanitary District of Chicago are elected for the remainder of the term, and thereafter until a successor shall be elected and qualified.

Such sanitary district shall from the time of the first election held by it under this Act be construed in all courts to be a body corporate and politic, and by the name and style of the sanitary district of...., and by such name and style may sue and be sued, contract and be contracted with, acquire and hold real estate and personal property necessary for corporate purposes, and adopt a common seal and alter the same at pleasure.

The board of commissioners trustees shall have the power to change the name of the Sanitary District of Chicago by ordinance and public notice without impairing the legal status of acts theretofore performed by said district. Thereafter any and all references to the Sanitary District of Chicago in this Act or otherwise shall mean and include the name under which such sanitary district is then operating. No rights, duties or privilege of such a sanitary

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district, or those of any person, existing before the change of name shall be affected by a change, in the name of a sanitary district. All proceedings pending in any court in favor of or against such sanitary district may continue to final consummation under the name in which they were commenced.

(Source: P.A. 83-345.)

(70 ILCS 2605/7h new)

Sec. 7h. Stormwater management.

(a) Stormwater management in Cook County shall be under the general supervision of the Metropolitan Water Reclamation District of Greater Chicago. The District has the authority to plan, manage, implement, and finance activities relating to stormwater management in Cook County. The authority of the District with respect to stormwater management extends throughout Cook County and is not limited to the area otherwise within the territory and jurisdiction of the District under this Act.

For the purposes of this Section, the term "stormwater management" includes, without limitation, the management of floods and floodwaters.

(b) The District may utilize the resources of cooperating local watershed councils (including the stormwater management planning councils created under Section 5-1062.1 of the Counties Code), councils of local governments, the Northeastern Illinois Planning Commission, and similar organizations and agencies. The District may provide those organizations and agencies with funding, on a contractual basis, for providing information to the District, providing information to the public, or performing other activities related to stormwater management.

The District may enter into agreements with responsible agencies in adjoining counties for the purpose of accommodating planning activities on a watershed basis.

The District may enter into intergovernmental agreements with Cook County or other units of local government that are located in whole or in part outside the District for the purpose of implementing the stormwater management plan and providing stormwater management services in areas not included within the territory of the District.

(c) The District shall prepare and adopt by ordinance a countywide stormwater management plan for Cook County. The countywide plan may incorporate one or more separate watershed plans.

Prior to adopting the countywide stormwater management plan, the District shall hold at least one public hearing thereon and shall afford interested persons an opportunity to be heard.

(d) The District may prescribe by ordinance reasonable rules and regulations for floodplain and stormwater management and for governing the location, width, course, and release rate of all stormwater runoff channels, streams, and basins in Cook County, in accordance with the adopted stormwater management plan. These rules and regulations shall, at a minimum, meet the standards for floodplain management established by the Office of Water Resources of the Department of Natural Resources and the requirements of the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

(e) The District may impose fees on areas outside the District but within Cook County to mitigate the effects of increased stormwater runoff resulting from new development. The fees shall not exceed the cost of satisfying the onsite stormwater retention or detention requirements of the adopted stormwater management plan. The fees shall be used to finance activities undertaken by the District or units of local government within the District to mitigate the effects of urban stormwater runoff by providing regional

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stormwater retention or detention facilities, as identified in the plan. All such fees collected by the District shall be held in a separate fund.

(f) Amounts realized from the tax levy for stormwater management purposes authorized in Section 12 may be used by the District for implementing this Section and for the development, design, planning, construction, operation, and maintenance of regional stormwater facilities provided for in the stormwater management plan.

The proceeds of any tax imposed under Section 12 for stormwater management purposes and any revenues generated as a result of the ownership or operation of facilities or land acquired with the proceeds of taxes imposed under Section 12 for stormwater management purposes shall be held in a separate fund and used either for implementing this Section or to abate those taxes.

(g) The District may plan, implement, finance, and operate regional stormwater management projects in accordance with the adopted countywide stormwater management plan.

The District shall provide for public review and comment on proposed stormwater management projects. The District shall conform to State and federal requirements concerning public information, environmental assessments, and environmental impacts for projects receiving State or federal funds.

The District may issue bonds under Section 9.6a of this Act for the purpose of funding stormwater management projects.

The District shall not use Cook County Forest Preserve District land for stormwater or flood control projects without the consent of the Forest Preserve District.

(h) Upon the creation and implementation of a county stormwater management plan, the District may petition the circuit court to dissolve any or all drainage districts created pursuant to the Illinois Drainage Code or predecessor Acts that are located entirely within the District.

However, any active drainage district implementing a plan that is consistent with and at least as stringent as the county stormwater management plan may petition the District for exception from dissolution. Upon filing of the petition, the District shall set a date for hearing not less than 2 weeks, nor more than 4 weeks, from the filing thereof, and the District shall give at least one week's notice of the hearing in one or more newspapers of general circulation within the drainage district, and in addition shall cause a copy of the notice to be personally served upon each of the trustees of the drainage district. At the hearing, the District shall hear the drainage district's petition and allow the drainage district trustees and any interested parties an opportunity to present oral and written evidence. The District shall render its decision upon the petition for exception from dissolution based upon the best interests of the residents of the drainage district. In the event that the exception is not allowed, the drainage district may file a petition with the circuit court within 30 days of the decision. In that case, the notice and hearing requirements for the court shall be the same as provided in this subsection for the petition to the District. The court shall render its decision of whether to dissolve the district based upon the best interests of the residents of the drainage district.

The dissolution of a drainage district shall not affect the obligation of any bonds issued or contracts entered into by the drainage district nor invalidate the levy, extension, or collection of any taxes or special assessments upon the property in the former drainage district. All property and obligations of the former drainage district shall be assumed and managed by the District, and

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the debts of the former drainage district shall be discharged as soon as practicable.

If a drainage district lies only partly within the District, the District may petition the circuit court to disconnect from the drainage district that portion of the drainage district that lies within the District. The property of the drainage district within the disconnected area shall be assumed and managed by the District. The District shall also assume a portion of the drainage district's debt at the time of disconnection, based on the portion of the value of the taxable property of the drainage district which is located within the area being disconnected.

A drainage district that continues to exist within Cook County shall conform its operations to the countywide stormwater management plan.

(i) The District may assume responsibility for maintaining any stream within Cook County.

(j) The District may, after 10 days written notice to the owner or occupant, enter upon any lands or waters within the county for the purpose of inspecting stormwater facilities or causing the removal of any obstruction to an affected watercourse. The District shall be responsible for any damages occasioned thereby.

(k) The District shall report to the public annually on its activities and expenditures under this Section and the adopted countywide stormwater management plan.

(l) The powers granted to the District under this Section are in addition to the other powers granted under this Act. This Section does not limit the powers of the District under any other provision of this Act or any other law.

(m) This Section does not affect the power or duty of any unit of local government to take actions relating to flooding or stormwater, so long as those actions conform with this Section and the plans, rules, and ordinances adopted by the District under this Section.

A home rule unit located in whole or in part in Cook County may not regulate stormwater management or planning in Cook County in a manner inconsistent with this Section or the plans, rules, and ordinances adopted by the District under this Section. Pursuant to paragraph (i) of Section 6 of Article VII of the Illinois Constitution, this Section specifically denies and limits the exercise of any power that is inconsistent with this Section by a home rule unit that is a county with a population of 1,500,000 or more or is located, in whole or in part, within such a county.

(70 ILCS 2605/12) (from Ch. 42, par. 332)

Sec. 12. The board of commissioners annually may levy taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which, exclusive of the amount levied for (a) the payment of bonded indebtedness and the interest on bonded indebtedness (b) employees' annuity and benefit purposes (c) construction purposes, and (d) for the purpose of establishing and maintaining a reserve fund for the payment of claims, awards, losses, judgments or liabilities which might be imposed on such sanitary district under the Workers' Compensation Act or the Workers' Occupational Diseases Act, and any claim in tort, including but not limited to, any claim imposed upon such sanitary district under the Local Governmental and Governmental Employees Tort Immunity Act, and for the repair or replacement of any property owned by such sanitary district which is damaged by fire, flood, explosion, vandalism or any other peril, natural or manmade, shall not exceed the sum produced by extending the rate of .46% for each of the years year 1979 through 2000 and by extending the rate of 0.41% for the

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year 2001 and each year thereafter, upon the assessed valuation of all taxable property within the sanitary district as equalized and determined for State and local taxes.

In addition, for stormwater management purposes as provided in subsection (f) of Section 7h, the board of commissioners may levy taxes for the year 2001 and each year thereafter at a rate not to exceed 0.05% of the assessed valuation of all taxable property within the district as equalized and determined for State and local taxes.

And In addition thereto, for construction purposes as defined in Section 5.2 of this Act, the board of commissioners may levy taxes for the year 1985 and each year thereafter which shall be at a rate not to exceed .10% of the assessed valuation of all taxable property within the sanitary district as equalized and determined for State and local taxes. Amounts realized from taxes so levied for construction purposes shall be limited for use to such purposes and shall not be available for appropriation or used to defray the cost of repairs to or expense of maintaining or operating existing or future facilities, but such restrictions, however, shall not apply to additions, alterations, enlargements, and replacements which will add appreciably to the value, utility, or the useful life of said facilities.

Such rates shall be extended against the assessed valuation of the taxable property within the corporate limits as the same shall be assessed and equalized for the county taxes for the year in which the levy is made and said board shall cause the amount to be raised by taxation in each year to be certified to the county clerk on or before the thirtieth day of March; provided, however, that if during the budget year the General Assembly authorizes an increase in such rates, the board of commissioners may adopt a supplemental levy and shall make such certification to the County Clerk on or before the thirtieth day of December.

For the purpose of establishing and maintaining a reserve fund for the payment of claims, awards, losses, judgments or liabilities which might be imposed on such sanitary district under the Workers' Compensation Act or the Workers' Occupational Diseases Act, and any claim in tort, including but not limited to, any claim imposed upon such sanitary district under the Local Governmental and Governmental Employees Tort Immunity Act, and for the repair or replacement, where the cost thereof exceeds the sum of \$10,000, of any property owned by such sanitary district which is damaged by fire, flood, explosion, vandalism or any other peril, natural or man-made, such sanitary district may also levy annually upon all taxable property within its territorial limits a tax not to exceed .005% of the assessed valuation of said taxable property as equalized and determined for State and local taxes; provided, however, the aggregate amount which may be accumulated in such reserve fund shall not exceed .05% of such assessed valuation.

All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district, in the manner and at the time provided by the general revenue law. No part of the taxes hereby authorized shall be used by such sanitary district for the construction of permanent, fixed, immovable bridges across any channel constructed under the provisions of this Act. All bridges built across such channel shall not necessarily interfere with or obstruct the navigation of such channel, when the same becomes a navigable stream, as provided in Section 24 of this Act, but such bridges shall be so constructed that they can be raised, swung or moved out of the way of vessels, tugs, boats or other water craft

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navigating such channel. Nothing in this Act shall be so construed as to compel said district to maintain or operate said bridges, as movable bridges, for a period of 9 years from and after the time when the water has been turned into said channel pursuant to law, unless the needs of general navigation of the Des Plaines and Illinois Rivers, when connected by said channel, sooner require it. In levying taxes the board of commissioners, in order to produce the net amount required by the levies for payment of bonds and interest thereon, shall include an amount or rate estimated to be sufficient to cover losses in collection of taxes, the cost of collecting taxes, abatements in the amount of such taxes as extended on the collector's books and the amount of such taxes collection of which will be deferred; the amount so added for the purpose of producing the net amount required shall not exceed any applicable maximum tax rate or amount.

(Source: P.A. 84-630.)

(70 ILCS 2605/4b rep.)

Section 20. The Metropolitan Water Reclamation District is amended by repealing Section 4b.

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sieben, House Bill No. 544 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, House Bill No. 646 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peterson, House Bill No. 904 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, House Bill No. 921 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Shadid, House Bill No. 1011 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, House Bill No. 1040 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator del Valle, House Bill No. 1048 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1048 on page 1, line 11, after "on", by inserting "or linked to".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sieben, House Bill No. 1697 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Karpiel, House Bill No. 1785 was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Sieben, House Bill No. 1822 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1822 as follows:
 on page 1, line 7, after "person" by inserting "(i)"; and
 on page 1, line 9, after "Corps," by inserting "(ii)"; and
 on page 1, line 11, by replacing "and" with "(iii) and"; and
 on page 1, line 15, by replacing "and" with "(iv) and"; and
 on page 1, line 16, after "service" by inserting the following:
"or who has been given a general discharge under honorable conditions because he or she refused to be vaccinated against Anthrax due to concerns about the safety of the vaccination"; and
 on page 1, line 16, after "and", by inserting "(v)"; and
 on page 1, line 27, after "veteran", by inserting "(i)"; and
 on page 1, line 27, by replacing "and" with "(ii) and"; and
 on page 1, line 29, after "and", by inserting "(iii)"; and
 on page 1, line 30, by replacing "service," with the following:
"service or who was given a general discharge under honorable conditions because he or she refused to be vaccinated against Anthrax due to concerns about the safety of the vaccination,"; and
 on page 1, line 31, after "proof", by inserting "1"; and
 on page 2, line 11, after "he", by inserting "or she"; and
 on page 2, line 11, after "service", by inserting the following:
"or had been given a general discharge under honorable conditions because he or she refused to be vaccinated against Anthrax due to concerns about the safety of the vaccination"; and
 on page 2, line 34, after "States", by inserting the following:
"(unless the veteran received a general discharge under honorable conditions because he or she refused to be vaccinated against Anthrax due to concerns about the safety of the vaccination)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator L. Walsh, House Bill No. 1883 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, House Bill No. 1905 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator O'Malley, House Bill No. 1914 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sieben, House Bill No. 2556 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Parker, House Bill No. 2865 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2865 as follows:
 on page 3, lines 18 and 19, by replacing "and hearing aids, and locks or windows" with "and hearing aids"; and
 on page 3, line 22, by inserting after "crime;" the following:
locks or windows necessary or damaged as a result of the crime;"; and

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on page 4, by replacing lines 6 through 8 with the following:
"of homicide victims to secure bodies of deceased victims and to
transport bodies for burial all of which may not"; and
 on page 5, by inserting between lines 7 and 8 the following:
"(k) "Survivor" means immediate family including a parent,
step-father, step-mother, child, brother, sister, or spouse.".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Weaver, House Bill No. 3054 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, House Bill No. 3069 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, House Bill No. 3071 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, House Bill No. 3128 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Geo-Karis, House Bill No. 3131 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, House Bill No. 3247 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3247 by replacing everything after the enacting clause with the following:

"Section 5. Upon the payment of the sum of \$46,000 to the State of Illinois, the rights or easements of access, crossing, light, air and view from, to and over the following described line and FA Route 2 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 5X06103

Direct access to F.A. Route 2 (U.S. Route 51) shall be restored to 75 feet of a tract of land abutting the easterly right of way line of said highway; Beginning at a point 351.28 feet South of and 48.87 feet East of the northwest corner of the Southwest Quarter of Section 26, Township 17 North, Range 2 East of the Third Principal Meridian, said point being on the easterly right of way line of F.A. 2 and 45.00 feet right of centerline station 115+70; thence 30.33 feet northerly along said east line, to a point 45.00 feet right of centerline station 116+00.33; thence 5.00 feet easterly along said east line, to a point 50.00 feet right of centerline station 116+00.48; thence 39.52 feet northerly along said east line, to a point 50.00 feet right of centerline station 116+40.

Section 10. Upon the payment of the sum of \$19,800 to the State of Illinois, the easement for highway purposes is released over and through the following described land and the rights or easement of access, crossing, light, air and view from, to and over the following described land and FA Route 26 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 5X02811(Tract A)

A part of the land acquired by a Dedication of Right of Way for a

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Freeway, that was dated May 12, 1953 and is recorded in Book 480 on Page 592 in the Recorder's Office of Champaign County, Illinois, being part of the East Half of Section 1, Township 22 North, Range 9 East of the 3rd principal Meridian, further described as:

From the intersection of the South line of the Northeast Quarter of the Northeast Quarter of said Section 1 and the surveyed centerline of Federal Aid Route 26, measure West on the South line of the Northeast Quarter of the Northeast Quarter of said Section 1 for 30.06 feet to the place of beginning;

From the place of beginning, measure Southeasterly around a curve to the left having a radius of 5085.5 feet and tangent to a line bearing South 3 degrees 36 minutes East for an arc length of 999.9 feet; thence South 14 degrees 52 minutes East for 98.8 feet; thence South 12 degrees 57 minutes East for 300.17 feet; thence South 14 degrees 08 minutes East for 198.7 feet; thence South 18 degrees 13 minutes East for 99.8 feet; thence Southwesterly around a curve to the right having a radius of 5025.5 feet and tangent to a line bearing South 11 degrees 54 minutes East for an arc length of 2186.9 feet; thence South 20 degrees 39 minutes West for 80.07 feet; thence South 63 degrees 33 minutes West for 145.6 feet; thence Northeasterly around a curve to the left having a radius of 4905.5 feet and is tangent to a line bearing North 15 degrees 02 minutes East for an arc distance of 2559.8 feet; thence North 14 degrees 52 minutes West for 437.4 feet; thence Northwesterly around a curve to the right having a radius of 5205.5 feet and tangent to the last described course for an arc distance of 1031.1 feet; thence East on South line of the Northeast Quarter of the Northeast Quarter of said Section 1 for 120.24 feet to the place of beginning, containing 10.8 acres, more or less.

Direct access to FA Route 26 (U.S. Route 45) shall be restored to 4028 feet of a tract of land described as follows:

Commencing at the intersection of the South line of the Northeast Quarter of the Northeast Quarter of Section 1, Township 22 North, Range 9 East of the Third Principal Meridian and the surveyed centerline of FA Route 26; thence West 150.3 feet along the South line of the Northeast Quarter of the Northeast Quarter of said Section 1, to the Place of Beginning; thence Southeasterly 1031.1 feet along a curve to the left being concentric with and 150 feet westerly of the centerline of FA Route 26, said curve having a radius of 5205.5 feet, the chord of said curve bears South 09 degrees 11 minutes 32 seconds East 1029.42 feet; thence South 14 degrees 52 minutes East 437.4 feet; thence Southwesterly 2559.8 feet along a curve to the right being concentric with and 150 feet westerly of the centerline of FA Route 26, said curve having a radius of 4905.5 feet, the chord of said curve bears South 00 degrees 04 minutes 57 seconds West 2530.86 feet, to the northerly right of way line of SA Route 9.

Parcel No. 5X02811(Tract B)

A part of the land acquired by a Dedication of Right of Way for a Freeway, that was dated April 7, 1952 and is recorded in Book 461 on Page 373 in the Recorder's Office of Champaign County, Illinois, being part of the Northeast Quarter of the Northeast Quarter of Section 1, Township 22 North, Range 9 East of the 3rd Principal Meridian, further described as:

From the intersection of the South line of the Northeast Quarter of the Northeast Quarter of said Section 1 and the surveyed centerline of Federal Aid Route 26, measure West on the South line of the Northeast Quarter of the Northeast Quarter of said

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Section 1 for 30.06 feet to the place of beginning:

From the place of beginning continue the last described course for 327.5 feet; thence North 17 degrees 53 minutes East for 120 feet; thence North 41 degrees 26 minutes East for 143.23 feet; thence North 59 degrees 59 minutes East for 185.71 feet; thence South 11 degrees 32 minutes East for 133.45 feet; thence southeasterly around a curve to the left having a radius of 5085.7 feet and a chord bearing of South 2 degrees 32 minutes East for an arc length of 187.87 feet, to the place of beginning, containing 1.59 acres, more or less.

Direct access to FA Route 26 (U.S. Route 45) shall be restored to 322 feet of a tract of land described as follows:

Commencing at the intersection of the South line of the Northeast Quarter of the Northeast Quarter of Section 1, Township 22 North, Range 9 East of the Third Principal Meridian and the surveyed centerline of FA Route 26; thence West 30.06 feet along the South line of the Northeast Quarter of the Northeast Quarter of said Section 1, to the Place of Beginning; thence Northwesterly 187.87 feet along a curve to the right being concentric with and 30 feet westerly of the centerline of FA Route 26, said curve having a radius of 5085.5 feet, the chord of said curve bears North 2 degrees 32 minutes West 187.87 feet; thence North 11 degrees 32 minutes West 133.45 feet.

Section 15. Upon the payment of the sum of \$3,700 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Kankakee County, Illinois:

Parcel No. 3LR0066

That part of the Southwest Quarter of Section 17, Township 30 North, Range 13 West of the Second Principal Meridian, in Kankakee County, Illinois, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 17; thence South 89 degrees 25 minutes 30 seconds East 87.26 feet on an assumed bearing along the south line of the Southwest Quarter of said Section 17 to the easterly existing right of way line of U.S. Route 45 and 52 (formerly S.B.I. Route 49); thence North 12 degrees 44 minutes 25 seconds West 125.95 feet along said easterly right of way line to the Point Of Beginning; thence North 30 degrees 40 minutes 11 seconds West 97.52 feet; thence North 00 degrees 49 minutes 09 seconds West 463.95 feet; thence North 44 degrees 52 minutes 45 seconds East 71.04 feet to the easterly right of way line of said U.S. Route 45 and 52 (formerly S.B.I. Route 49); thence South 00 degrees 35 minutes 55 seconds East 598.16 feet along said easterly right of way line to the Point Of Beginning, containing 0.6063 acre (26,409 square feet), more or less.

It is understood and agreed that there is no existing right of access nor will access be permitted in the future by the State of Illinois, Department of Transportation, from or over the premises above described to and from U.S. Routes 45 and 52, previously declared a freeway at this parcel.

Section 25. Upon the payment of the sum of \$2,500 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Macon County, Illinois:

Parcel No. 5X05503

A part of F.A. Route 49, Section 13-X as recorded in the Macon County Recorder's Office, Deed Book 1167 Page 532, being a part

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of Lot 1 in Block 1 of Hillcrest Addition, as per plat recorded in Book 536 Page 91, to the City of Decatur, in Section 8, Township 16 North, Range 2 East of the Third Principal Meridian, situated in the County of Macon, in the State of Illinois, described as follows:

Beginning at the northwest corner of said Lot 1; thence easterly 30.208 meters [99.11 feet] along the north line of Lot 1; thence southeasterly 17.879 meters [58.66 feet] to the southeast corner of said Lot 1; thence westerly 39.167 meters [128.50 feet] along the south line of said Lot 1, to the southwest corner of Lot 1; thence northerly 15.071 meters [49.45 feet] along the west line of said Lot 1, to the Point of Beginning, containing 530.614 square meters [5,712 square feet], more or less.

No easement or right of access will be allowed to the public highway identified as F.A. Route 49 (U.S. Rte. 36) or Moffet Lane, from the aforementioned property.

Section 30. Upon the payment of the sum of \$1,000 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Logan County, Illinois:

Parcel No. 675X178

A tract of land lying along and adjacent to the northwesterly right of way line of the G.M. & O. Railroad in the Southwest 1/4 of Section 7, in Township 18 North, Range 3 West of the 3rd P.M., and more particularly described as follows:

The point of beginning is described as commencing at a stone on the Southwest corner of said Section 7, thence north along the centerline of a public highway 958.5 feet; thence South 73 degrees 09 minutes East, 650.6 feet to the said northwesterly right of way line of said railroad; thence North 37 degrees 41 minutes East, along said right of way line 134.55 feet; thence North 37 degrees 41 minutes East, 124.45 feet; thence North 35 degrees 57 minutes East, 122.2 feet; thence North 27 degrees 05 minutes East, 3.35 feet; thence North 27 degrees 05 minutes East, 214 feet; thence North 33 degrees 21 minutes East, 54.7 feet to the point of beginning, said point being in the northwesterly right of way line of said Railroad.

From said point of beginning North 33 degrees 21 minutes East, 22.8 feet; thence North 37 degrees 50 minutes East, 300 feet (being along said right of way line of the railroad) to a State right of way stone; thence South 76 degrees 11 minutes West, 127.5 feet to a State right of way stone; thence South 36 degrees 09 minutes West, along the Easterly right of way line of Federal Aid Highway Route 5 for a distance of 225 feet; thence South 53 degrees 51 minutes East, 74.3 feet, more or less, to the point of beginning, containing 0.48 acres, more or less.

Section 35. Upon the payment of the sum of \$3,000 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and FA Route 5 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 675X220

A part of the South Half of the Northwest Quarter of Section 4, Township 17 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at a point on the Westerly existing right of way line of F.A. Route 5 being 110.00 feet left of Station 526+00.49; thence northeasterly along said Westerly existing right of way line on a curve to the right having a radius of 4884.65 feet, an

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arc distance of 168.24 feet and a chord bearing North 32 degrees 17 minutes 03 seconds East, 168.24 feet to a point 110.00 feet left of Station 527+64.94, said point being the point of termination.

Offsets referenced to the survey line as shown on original parcel 13.

Section 40. Upon the payment of the sum of \$2,000 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Sangamon County, Illinois:

Parcel No. 675X221

Part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 17 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Commencing at the northwest corner of said Section 9; thence North 89 degrees 15 minutes 32 seconds East along the north line of said Section 9, a distance of 891.00 feet; thence South 00 degrees 44 minutes 28 seconds East, 13.41 feet to the point of beginning at the intersection of the south existing right of way line of the Township Road and the westerly existing right of way line of S.B.I. Route 4 (Old U.S. Route 66) being 431.28 feet right of Survey Station 279+93.77 referenced to the survey line of F.A.I. Route 55; thence along the south existing right of way line of the Township Road, North 89 degrees 07 minutes 21 seconds East, 76.66 feet to the westerly existing right of way line of the Railroad; thence along said westerly existing Railroad right of way, also being the easterly existing right of way line of said S.B.I. Route 4, South 33 degrees 54 minutes 15 seconds West, 710.64 feet to a point 264.22 feet right of Station 273+98.47; thence North 68 degrees 05 minutes 21 seconds West, 62.80 feet to a point on the westerly existing right of way line of said S.B.I. Route 4 being 201.53 feet right of Station 274+01.93; thence along said westerly right of way line, North 33 degrees 46 minutes 28 seconds East, 679.96 feet to the point of beginning, containing .993 acre, more or less.

Section 45. Upon the payment of the sum of \$380.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Carroll County, Illinois:

Parcel No. 2DCA014

A parcel of land in part of the West Half of the Southeast Quarter of Section 12, Township 25 North, Range 4 East of the Fourth Principal Meridian, County of Carroll, State of Illinois, described as follows:

Commencing at the Center of Section 12; thence Easterly on the North Line of the Southeast Quarter of said Section 12, said line having a bearing of North 82 degrees 19 minutes 02 seconds East, a distance of 406.36 feet to a point in the Center Line of a public road designated S.B.I. Route 40 (Illinois Route 78), said point being the Point of Beginning of the hereinafter described parcel of land; thence continuing Easterly on said North Line of the last described course, a distance of 33.98 feet to a point in the Easterly Right-of-Way Line of said S.B.I. Route 40 (Illinois Route 78); thence Southeasterly on said Easterly Right-of-Way Line, said line having a bearing of South 21 degrees 23 minutes 35 seconds East, a distance of 404.87 feet to a point; thence continuing Southeasterly on said Easterly Right-of-Way Line which

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is the arc of a circle concave to the Southwest, an arc distance of 33.70 feet, said arc having a radius of 1,044.10 feet and a chord bearing of South 20 degrees 29 minutes 01 seconds East, a chord distance of 33.70 feet to a point; thence Southerly on a line having a bearing of South 8 degrees 11 minutes 48 seconds West, a distance of 75.67 feet to a point in the Center Line of said S.B.I. Route 40 (Illinois Route 78); thence Northwesterly on said Center Line which is the arc of a circle concave to the Southwest, an arc distance of 99.66 feet, said arc having a radius of 1,011.10 feet and a chord bearing of North 18 degrees 34 minutes 28 seconds West, a chord distance of 99.62 feet to a point; thence continuing Northwesterly on said Center Line, said line having a bearing of North 21 degrees 23 minutes 35 seconds West, a distance of 412.92 feet to the Point of Beginning, containing 0.360 acre, more or less.

For the purpose of this description, said North Line of the Southeast Quarter of Section 12 has been assigned a bearing of North 82 degrees 19 minutes 02 seconds East.

Section 50. Upon the payment of the sum of \$4,000.00 to the State of Illinois, the easement for highway purposes is released over and through the following described land and the rights or easement of access, crossing, light, air and view from, to and over the following described line and FA Route 10 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 3LR0067

TRACT NUMBER ONE:

A part of the Northeast Quarter of Section 2, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Commencing at the northwest corner of Outlot 24 in the Ninth Addition to McLean County Farm Bureau Subdivision according to Document Number 99-38302 in the McLean County Recorder Of Deeds; thence easterly 201.14 feet along the southerly right of way line of Empire Street along a 11,539.20 foot radius curve to the left whose chord bears North 87 degrees 04 minutes 00 seconds East, 201.14 feet to the Point Of Beginning of Release of Access Control; thence easterly 98.00 feet along said right of way line along a 11,539.20 foot radius curve to the left whose chord bears North 86 degrees 19 minutes 27 seconds East, 98.00 feet to the termination of Release of Access Control. The total length of Release of Access Control is 98.00 lineal feet.

TRACT NUMBER TWO:

A part of the Northeast Quarter of Section 2, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Commencing at the northwest corner of Outlot 24 in the Ninth Addition to McLean County Farm Bureau Subdivision according to Document Number 99-38302 in the McLean County Recorder Of Deeds; thence easterly 553.26 feet along the southerly right of way line of Empire Street along a 11,539.20 foot radius curve to the left whose chord bears North 86 degrees 11 minutes 33 seconds East 553.21 feet; thence easterly 184.09 feet along said right of way line along a 11,379.20 foot radius curve to the right whose chord bears North 85 degrees 18 minutes 31 seconds East, 184.09 feet to the Point Of Beginning of Release of Access Control; thence easterly 43.99 feet along said right of way line along a 11,379.20 foot radius curve to the right whose chord bears North 85 degrees 52 minutes 58 seconds East, 43.99 feet to the termination of Release of Access Control. The total length of

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Release of Access Control is 43.99 lineal feet.

Section 55. Upon the payment of the sum of \$500.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Dewitt County, Illinois, to Michael J. Tate:

Parcel No. 5X54203

Part of Lot 1 in Block 6 in Portland Place Subdivision of part of Lot 1 of 60 acres off the south end of the West Half of the Northeast Quarter of Section 35, Township 20 North, Range 2 East of the Third Principal Meridian, situated in the City of Clinton, in the County of Dewitt, in the State of Illinois, described as follows:

Beginning at the northeast corner of said Lot 1; thence South 00 degrees 48 minutes 03 seconds West along the east line of said Lot 1, 0.181 meters [0.59 feet] to the northerly right of way line of FA Route 71 (Il. Rte. 54); thence southwesterly along said right of way line 9.301 meters [30.52 feet] along a curve to the right being concentric with and 12.192 meters [40.00 feet] northerly of the centerline of FA 71, said curve having a radius of 766.550 meters [2514.92 feet], the chord of said curve bears South 61 degrees 55 minutes 08 seconds West 9.301 meters [30.52 feet]; thence North 49 degrees 05 minutes 44 seconds West 6.474 meters [21.24 feet] to the north line of said Lot 1; thence North 88 degrees 36 minutes 04 seconds East 13.106 meters [43.00 feet] along said line, to the Point of Beginning, containing 29 square meters [316 square feet].

Section 60. Upon the payment of the sum of \$1,000.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Macoupin County, Illinois:

Parcel No. 675X224

A part of the Northwest Quarter of Section 22, Township 7 North, Range 6 West of the Third Principal Meridian, Macoupin County, Illinois, more particularly described as follows:

Beginning at a point on the south line of the Northwest Quarter of said Section 22, a distance of 50.00 feet northwesterly measured at right angles from the northwesterly right of way line of the C & NW Railroad, formerly known as the Litchfield and Madison Railroad; thence northeasterly parallel to and 50.00 feet northwesterly of said right of way line to a point that is 145.00 feet west of the centerline of highway FA 5; thence north parallel to and 145.00 feet west of said highway centerline to the south existing right of line of Township Road 300 North; thence southeasterly along said right of way line to a point on the west existing right of way line of FA 5, being 99.00 feet west of said FA 5 centerline; thence southerly along said west right of way line to a point on the existing northwesterly right of way line of the C & NW Railroad also being 99.00 feet west of said FA 5 centerline; thence southwesterly along the said northwesterly railroad right of way line to the south line of the Northwest Quarter of said Section 22; thence westerly along said quarter section line to the point of beginning, containing 0.368 acres (16,048 square feet) more or less.

It is understood and agreed that there is no existing right of access nor will access be permitted in the future by the State of Illinois, Department of Transportation, from or over the premises above described to and from FA Route 5 (IL Rt. 66), previously declared a freeway.

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Section 65. Upon the payment of the sum of \$46,500.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Monroe County, Illinois, to Harold P. Hermann and Elsie R. Hermann:

Parcel No. 800XA99

Part of Tax Lot 3A in Survey 555, Claim 505 as recorded in the Recorder's Office of Monroe County, Illinois in Surveyor's Official Plat Record "A" on Page 106 and part of Tax Lot 13A in Survey 556, Claim 498 as recorded in the Recorder's Office of Monroe County, Illinois in Surveyor's Official Plat Record "A" on Page 106, all in Township 1 South, Range 10 West of the Third Principal Meridian, Monroe County, Illinois, more particularly described as follows:

Commencing at an old stone at the northwesterly corner of Tax Lot 3A in said Survey 555, Claim 505; thence on an assumed bearing of South 12 degrees 28 minutes 57 seconds West on the westerly line of Tax Lot 3A in said Survey 555, Claim 505, a distance of 492.02 feet to an iron pin on the northerly right of way line of FA Route 182, as recorded in the Recorder's Office of Monroe County, Illinois in Book of Plats "C" on Page 44, being the Point of Beginning.

From said Point of Beginning; thence South 35 degrees 25 minutes 42 seconds East on the northwesterly right of way line of FA Route 182, a distance of 170.44 feet to an iron pin; thence North 40 degrees 38 minutes 36 seconds East on the northwesterly right of way line of FA Route 182, a distance of 643.93 feet to an iron pin; thence North 54 degrees 08 minutes 10 seconds East on the northwesterly right of way line of FA Route 182, a distance of 234.86 feet to a point on the westerly right of way line of FA Route 14 (marked Illinois Route 3), said point being the southwest corner of a tract of land described as Tract A in Condemnation Case No. 90-ED-5 Order Vesting Title filed July 5, 1990; thence South 18 degrees 18 minutes 42 seconds East, 339.89 feet to a point on the southeasterly right of way line of FA Route 182 and the westerly right of way line of FA Route 14, said point being the northwest corner of a tract of land described as Tract B of said Condemnation Case No. 90-ED-5; thence South 53 degrees 41 minutes 33 seconds West on the southeasterly right of way line of FA Route 182, a distance of 127.38 feet to an iron pin; thence South 43 degrees 02 minutes 41 seconds West on the southeasterly right of way line of FA Route 182, a distance of 192.98 feet to an iron pin; thence South 53 degrees 38 minutes 30 seconds West on the southeasterly right of way line of FA Route 182, a distance of 382.08 feet to an iron pin; thence South 04 degrees 22 minutes 05 seconds East on the southeasterly right of way line of FA Route 182, a distance of 32.58 feet to an iron pin on the southerly line of Tax Lot 3A of said Survey 555, Claim 505 and the northerly right of way line of Township Road 9 (Sandbank Road); thence North 61 degrees 06 minutes 48 seconds West on the southerly line of Tax Lot 3A of said Survey 555, Claim 505 and the northerly right of way line of Township Road 9, a distance of 350.69 feet to an iron pin at the southwesterly corner of Tax Lot 3A of said Survey 555, Claim 505, said corner also being on the easterly right of way line of County Highway 6 (Bluff Road); thence North 12 degrees 28 minutes 57 seconds East on the westerly line of Tax Lot 3A of said Survey 555, Claim 505 and the easterly right of way line of County Highway 6, a distance of 144.82 feet to the Point of Beginning.

Parcel 800XA99 herein described contains 5.822 acres.

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Exception:

Access to FAP Route 14 (Illinois Route 3) from the above described tract will be prohibited.

Section 70. Upon the payment of the sum of \$192,000.00 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and FAP Route 582 (IL-111) and IL-140 (FAP 785) are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 800XB02

A line which lies between the northern, northwestern and western part of Outparcel "B" of "Northwest Business Park", a subdivision according to the plat thereof recorded in Plat Cabinet 57, Page 50 of the Madison County Records and property conveyed to The People of the State of Illinois, Department of Transportation by deed recorded in Deed Book 3053, Page 1700 of the Madison County Records, being all that land lying within the limits of the right of way formerly known as FAS Route 762, Section 107 MFT (Illinois Route 111 and part of Illinois Route 140), according to the plat thereof recorded in Road Record Book 7, Pages 143-151 of the Madison County Records, being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 12, Township 5 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois; thence northerly along the west line of said Southwest Quarter of Section 12, on an assumed bearing of North 01 degree 08 minutes 55 seconds West, 965.30 feet; thence North 88 degrees 51 minutes 05 seconds East, 81.85 feet to the Point of Beginning, said Point of Beginning being on the easterly right of way line of said Illinois Route 111, according to said deed recorded as Book 3053, Page 1700.

From said Point of Beginning; thence the following four (4) courses and distances along the easterly right of way line of Illinois Route 111 and the southerly right of way line of Illinois Route 140, according to said deed recorded in Deed Book 3053, Page 1700: (1) North 01 degree 06 minutes 42 seconds West, 129.89 feet; (2) thence North 04 degrees 13 minutes 14 seconds East, 150.65 feet; (3) thence North 63 degrees 52 minutes 20 seconds East, 99.57 feet; (4) thence along a curve to the left, having a radius of 1,984.86 feet, an arc distance of 223.22 feet, the chord of said curve bears South 77 degrees 03 minutes 01 second East, 223.10 feet to the terminus of said line.

Section 75. Upon the payment of the sum of \$12,600.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in St. Clair County, Illinois:

Parcel No. 800XB06

A tract of land being part of Lot 5, Survey 143, 144, 145 and 146 of the Commonfields of Prairie DuPont recorded in Plat Book E, Page 29 in the Recorder's Office of St. Clair County, Illinois and being more particularly described as follows:

Commencing at the Northeast Corner of Lot 1 of Dyroff's Resubdivision of Part of Blocks 6, 7, 8 and 9 of North Dupo recorded in Plat Book 27, Page 2 in the Recorder's Office of St. Clair County, Illinois, said corner is also located on the southerly existing right of way line of the former Illinois Central Gulf Railroad; thence along said southerly existing right of way line along an assumed bearing of North 89 degrees 54 minutes 21 seconds East, 421.33 feet to the Southeast Corner of a

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tract of land conveyed by Warranty Deed to the State of Illinois recorded November 30, 1982 in Book 2534, Page 185 and the Point of Beginning.

From said Point of Beginning; thence continuing along said southerly existing right of way line of the former Illinois Central Gulf Railroad, North 89 degrees 54 minutes 21 seconds East, 376.16 feet to the Southwest Corner of a tract of land conveyed by Warranty Deed to the State of Illinois recorded November 30, 1982 in Book 2534, Page 183; thence South 13 degrees 53 minutes 27 seconds West, 133.73 feet; thence South 33 degrees 44 minutes 01 second West, 181.95 feet; thence South 89 degrees 54 minutes 21 seconds West, 289.56 feet; thence North 08 degrees 26 minutes 00 seconds East, 155.47 feet; thence North 10 degrees 34 minutes 27 seconds, East 129.41 feet to the Point of Beginning.

Parcel 800XB06 herein described contains 2.25 acres.

It is understood and agreed that there is no existing right of access nor will access be permitted in the future by the State of Illinois, Department of Transportation, from or over the premises above described to and from FAP Route 4, nor IL Route 3 (Stolle Road) previously declared freeways at this location. Access from and to this parcel will be limited to relocated Falling Springs Road.

Section 80. Upon the payment of the sum of \$1,000.00 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and FA Route 178 (IL 251) are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 3LR0068

A part of the Northwest Quarter of Section 2, Township 32 North, Range 1 East of the Third Principal Meridian, LaSalle County, Illinois, more particularly described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 2; thence North 89 degrees 24 minutes 54 seconds West, 101.88 feet along the south line of the Northwest Quarter of said Section 2 to its intersection with the east right of way line of F.A. Route 178 (Illinois Route 251); thence North 36 degrees 21 minutes 11 seconds West, 97.63 feet along said east right of way line to the Point Of Beginning of the Release of Access Control, said point being 60.0 feet left of Station 426+33.40; thence South 36 degrees 21 minutes 11 seconds East, 97.63 feet along said east right of way line to the Point Of Termination of said Release, said point being 60.0 feet left of Station 427+38.39, all situated in LaSalle County, Illinois. The total length of Release of Access Control is 97.63 linear feet.

Section 85. Upon the payment of the sum of \$28,900.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Madison County, Illinois:

Parcel No. 800XA98 A

That part of the Southwest Quarter of the Southeast Quarter of Section 35, Township 6 North, Range 10 West of the Third Principal Meridian, in Madison County, Illinois, described as follows:

Beginning at the southwest corner of Lot 7 in North Port Industrial Park Section No. 1B, being a subdivision in the Southwest Quarter of the Southeast Quarter of said Section 35, according to the plat thereof recorded April 25, 1969 in Plat Book 39, on Page 21; thence on an assumed bearing of South 75 degrees 18 minutes 24 seconds East, on the south line of said Lot

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7, a distance of 258.88 feet to the southeast corner of said Lot 7; thence South 00 degrees 21 minutes 31 seconds East, on the southerly extension of the east line of said Lot 7, a distance of 7.00 feet; thence North 77 degrees 01 minute 47 seconds West, 256.92 feet to the east line of Lot 15 in Gerson Heights Subdivision, being a subdivision of part of the West Half of the Southeast Quarter of said Section 35, according to the plat thereof recorded July 2, 1929 in Plat Book 16, on Page 53; thence North 00 degrees 21 minutes 31 seconds West, on the west line of said Lot 15, a distance of 15.00 feet to the Point of Beginning.

Parcel 800XA98-A herein described contains 2,750 square feet or 0.063 acre.

and also;

Parcel No. 800XA98 B

That part of Lot 15 in Gerson Heights Subdivision being a subdivision of part of the West Half of the Southeast Quarter of Section 35, Township 6 North, Range 10 West of the Third Principal Meridian, according to the plat thereof recorded July 2, 1929 in Plat Book 16, on Page 53, in Madison County, Illinois, described as follows:

Beginning at the Northeast Corner of said Lot 15; thence on an assumed bearing of South 00 degrees 21 minutes 31 seconds East, on the east line of said Lot 15, a distance of 44.40 feet; thence North 78 degrees 06 minutes 11 seconds West, 133.32 feet to the west line of said Lot 15; thence North 00 degrees 21 minutes 31 seconds West, on said west line of Lot 15, a distance of 16.10 feet to the northwest corner of said Lot 15; thence North 89 degrees 38 minutes 29 seconds East, on the north line of said Lot 15, a distance of 130.28 feet to the Point of Beginning.

Parcel 800XA98-B herein described contains 3,941 square feet or 0.090 acre.

Exception:

It is understood and agreed that there is no existing right of access nor will access be permitted in the future by the State of Illinois, Department of Transportation, from or over the premises above described to and from FAP Route 789 (IL Rt. 3 and 111), previously declared a freeway.

Section 110. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
Section 17
Wayne County
Job No. R-97-004-00
Sta. 908+32 to Sta. 920+86
Parcel No. 74307AX
State of Illinois

EXCESS LAND

Part of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 165), and more fully described as follows:

Beginning at a point on the south right-of-way line of a public road, located along the north line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 80 feet West of the centerline of the existing pavement of SBI Route 15; thence South 85 degrees

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West 135.5 feet along the south right-of-way line of said public road, located along the north line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of said Section 13, T2S, R5E of the Third Principal Meridian; thence around a curve to the right having a radius of 2,785 feet and tangent to a line having a bearing of South 13 degrees 32 minutes West for a distance of 640.8 feet; thence South 23 degrees 07 minutes West 196 feet; thence around a curve to the right having a radius of 2,805 feet and tangent to a line having a bearing of South 30 degrees 43 minutes West for a distance of 419.6 feet to the Grantor's south property line; thence North 84 degrees 05 minutes East 166.6 feet along the Grantor's south property line; thence around a curve to the left having a radius of 2,925 feet and tangent to a line having a bearing of North 36 degrees 58 minutes East for a distance of 319.1 feet; thence North 34 degrees 37 minutes East 206.0 feet; thence around a curve to the left having a radius of 2,945 feet and tangent to a line having a bearing of North 30 degrees 33 minutes East for a distance of 315.9 feet to the line 931 feet North of and parallel to the south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian; thence East 118.8 feet to a point located on a line 65 feet West of and parallel to the centerline of the existing pavement of SBI Route 15; thence South 271 feet along a line 65 feet West of and parallel to the centerline of the existing pavement of SBI Route 15 to a point on a line 660 feet North of and parallel to the south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian; thence East 15 feet along a line 660 feet North of the south line of said Quarter-Quarter Section to a point on a line 50 feet West of and parallel to the centerline of the existing pavement of SBI Route 15; thence North 506 feet along said line 50 feet West of and parallel to the centerline of the existing pavement of State Bond Issue Route 15; thence North 11 degrees 30 minutes West 157 feet to the Point of Beginning; excepting therefrom, a tract, containing 1.49 acres beginning at a point on the south right-of-way line of a public road, located along the north line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 80 feet West of the centerline of the existing pavement of SBI Route 15; thence South 85 degrees West 135.5 feet along the south right-of-way line of said public road, located along the north line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of said Section 13, T2S, R5E of the Third Principal Meridian; thence South 01 degree 06 minutes East 421 feet; thence around a curve to the left having a radius of 2,945 feet and tangent to a line having a bearing of North 30 degrees 33 minutes East for a distance of 32.7 feet to the line 931 feet North of and parallel to the south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian; thence East 118.8 feet to a point located on a line 65 feet West of and parallel to the centerline of the existing pavement of SBI Route 15; thence South 271 feet along a line 65 feet West of and parallel to the centerline of the existing pavement of SBI Route 15 to a point on a line 660 feet North of and parallel to the south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian; thence East 15 feet along a line 660 feet North of the south line of said Quarter-Quarter Section to a point on a line 50 feet West of and

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parallel to the centerline of the existing pavement of SBI Route 15; thence North 506 feet along said line 50 feet West of and parallel to the centerline of the existing pavement of SBI Route 15; thence North 11 degrees 30 minutes West 157 feet to the Point of Beginning, all in accordance with the attached plat and containing 3.29 acres, more or less.

Section 115. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 904+37 to Sta. 908+32
 Parcel No. 74307BX
 State of Illinois

EXCESS LAND

Part of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 297), and more fully described as follows:

Beginning at a point on the south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 239 feet East of the southwest corner of said Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence East along the said south line of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, 194.4 feet; thence around a curve to the left having a radius of 2,925 feet and tangent to a line having a bearing of North 49 degrees 07 minutes East for a distance of 376 feet; thence South 84 degrees 05 minutes West 166.6 feet; thence around a curve to the right having a radius of 2,805 feet and tangent to a line having a bearing of South 41 degrees 13 minutes West for a distance of 414 feet to the Point of Beginning, all in accordance with the attached plat and containing 1.16 acres, more or less.

Section 120. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 900+14 to Sta. 904+37
 Parcel No. 74307CX
 State of Illinois

EXCESS LAND

Part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 6, Page 21), more fully described as follows:

Beginning at a point on the north line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 224.7 feet East of the northwest corner of said Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence East along said

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north line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13, 208.7 feet; thence around a curve to the right having a radius of 2,925 feet and tangent to a line having a bearing of South 50 degrees 05 minutes West for a distance of 112.3 feet; thence South 47 degrees 23 minutes West 102.8 feet; thence around a curve to the right having a radius of 2,935 feet and tangent to a line having a bearing of South 54 degrees 17 minutes West for a distance of 333.0 feet to the west line of said Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence North 161.5 feet along said west line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence around a curve to the left having a radius of 2,795 feet and tangent to a line having a bearing of North 59 degrees 10 minutes East for a distance of 282.9 feet to the Point of Beginning, all in accordance with the attached plat and containing 1.32 acres, more or less.

Section 125. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 884+95 to Sta. 900+14
 Parcel No. 74307DX
 State of Illinois

EXCESS LAND

Part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 159), and more fully described as follows:

Beginning at a point on the east line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 154 feet South of the northeast corner of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence around a curve to the right having a radius of 2,795 feet and tangent to a line having a bearing of South 51 degrees 58 minutes West for a distance of 250 feet; thence South 56 degrees 58 minutes West 115.2 feet; thence South 62 degrees 38 minutes West 100.4 feet; thence South 56 degrees 58 minutes West 100 feet; thence South 52 degrees 38 minutes West 200.5 feet; thence South 56 degrees 58 minutes West 770 feet to the west line of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence South 153 feet along the west line of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence North 56 degrees 58 minutes East 840 feet; thence North 59 degrees 48 minutes East 200.2 feet; thence North 56 degrees 58 minutes East 100 feet thence North 51 degrees 18 minutes East 100.4 feet; thence North 56 degrees 58 minutes East 115.2 feet; thence around a curve to the left having a radius of 2,935 feet and tangent to the last named bearing for a distance of 170 feet to the east line of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13; thence North 153 feet along the east line of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 to the Point of Beginning, all in accordance with the attached plat and containing 4.92 acres, more or less.

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Section 130. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 869+89 to Sta. 884+95
 Parcel No. 74307EX
 State of Illinois

EXCESS LAND

Part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13 and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13, all in T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 193), and more fully described as follows:

Beginning at a point on a line 20 feet East of and parallel to the west line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian and 74.5 feet South of the north line of said Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 56 degrees 58 minutes East 280.4 feet; thence North 52 degrees 08 minutes East 301 feet; thence North 56 degrees 58 minutes East 600 feet; thence North 62 degrees 38 minutes East 200.8 feet; thence North 56 degrees 58 minutes East 129 feet to the east line of Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian; thence South 153 feet along the east line of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13; thence South 56 degrees 58 minutes West 61 feet; thence South 51 degrees 18 minutes West 100.4 feet; thence South 56 degrees 58 minutes West 800 feet; thence South 62 degrees 38 minutes West 200.8 feet; thence South 56 degrees 58 minutes West 341.6 feet to a line 20 feet East of and parallel to the west line of said Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 137 feet along said line 20 feet East of and parallel to the west line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13 to the Point of Beginning, all in accordance with the attached plat and containing 5.13 acres, more or less.

Section 135. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 854+40 to Sta. 869+89
 Parcel No. 74307FX
 State of Illinois

EXCESS LAND

Part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 212), and more fully described as follows:

Beginning at a point on the west line of the Northwest Quarter

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(NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian 32 rods North of the southwest corner of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 85 degrees 30 minutes West 245 feet along the north line of the South 16 acres off said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 56 degrees 58 minutes East 530 feet; thence North 54 degrees 08 minutes East 300.3 feet; thence North 56 degrees 58 minutes East 457 feet to a line 20 feet East of and parallel to the east line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 04 degrees 30 minutes West 137 feet along said line 20 feet East of and parallel to the east line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence South 56 degrees 58 minutes West 521 feet; thence South 62 degrees 38 minutes West 201 feet; thence South 56 degrees 58 minutes West 818 feet to the west line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence South 04 degrees 30 minutes East 60 feet along the west line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13 to the Point of Beginning, all in accordance with the attached plat and containing 4.72 acres, more or less.

Section 140. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 854+40 to Sta. 856+72
 Parcel No. 74307GX
 State of Illinois

EXCESS LAND

Part of the South 16 acres off the south end of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 161), and more fully described as follows:

Beginning at the Point of Intersection of the west line of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, T2S, R5E of the Third Principal Meridian and the north line of the South 16 acres off the south end of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence East 245 feet; thence South 56 degrees 58 minutes West 272 feet to the west line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13; thence North 116 feet along the west line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13 to the Point of Beginning, all in accordance with the attached plat and containing 0.33 acre, more or less.

Section 145. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County

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Job No. R-97-004-00
Sta. 844+15 to Sta. 854+40
Parcel No. 74307HX
State of Illinois

EXCESS LAND

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 199), and more fully described as follows:

Beginning at a point on the east line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian 396 feet North of the southeast corner of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence South 56 degrees 58 minutes West 940 feet to the south line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence West 298 feet along the south line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence North 56 degrees 58 minutes East 610 feet; thence North 52 degrees 38 minutes East 200.2 feet; thence North 56 degrees 58 minutes East 380 feet to the east line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence South 176.2 feet along the east line of the said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14 to the Point of Beginning, all in accordance with the attached plat and containing 3.44 acres, more or less.

Section 150. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
Section 17
Wayne County
Job No. R-97-004-00
Sta. 828+12 to Sta. 844+15
Parcel No. 74326AX
State of Illinois

EXCESS LAND

Part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) and part of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian (as recorded in Book 6, Page 7), more particularly described as follows:

Beginning at a point on the east line of the West 11 acres off the west side of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian, 524.6 feet North of the centerline of the existing pavement on State Bond Issue Route 15; thence around a curve to the left having a radius of 5,790 feet and tangent to a line having a bearing of North 59 degrees 53 minutes East a distance of 292.6 feet; thence North 56 degrees 58 minutes East 226.48 feet; thence North 62 degrees 41 minutes East 200.2 feet; thence North 56 degrees 58 minutes East 700 feet; thence North 54 degrees 06 minutes East 100 feet; thence North 56 degrees 58 minutes East 256.1 feet to the north line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian; thence West 298.2 feet with the north line of the said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence South 59 degrees

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50 minutes West 100 feet; thence South 56 degrees 58 minutes West 400 feet; thence South 64 degrees 41 minutes West 100.1 feet; thence South 56 degrees 58 minutes West 200 feet; thence South 63 degrees 12 minutes West 200.2 feet; thence South 56 degrees 58 minutes West 226.48 feet; thence around a curve to the right with a radius of 5,670 feet and tangent to a line with a bearing of South 56 degrees 58 minutes West a distance of 231.4 feet to the east line of the West 11 acres off the west side of the said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence South 134.8 feet with the east line of the West 11 acres off the west side of the said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 14 to the Point of Beginning, all in accordance with the attached plat and containing 5.18 acres, more or less.

Section 155. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 817+11. to Sta. 828+17
 Parcel No. 74328AX
 State of Illinois

EXCESS LAND

Part of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) and part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), all in Section 14, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 335), more particularly described as follows: Beginning at a point on the west line of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14, T2S, R5E of the Third Principal Meridian 87.2 feet North of the existing northerly right-of-way line of State Bond Issue Route 15; thence North 165.6 feet with the west line of said East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14; thence around a curve to the left having a radius of 5,650 feet and tangent to a line having a bearing of North 70 degrees 13 minutes East a distance of 67.6 feet; thence North 75 degrees 15 minutes East 200.2 feet; thence around a curve to the left having a radius of 5,670 feet and tangent to a line having a bearing of North 67 degrees 32 minutes East a distance of 842.6 feet to the east line of the West 11 acres off the west side of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 14, T2S, R5E of the Third Principal Meridian; thence South 134.8 feet with the east line of the West 11 acres off the west side of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 14; thence around a curve to the right having a radius of 5,790 feet and tangent to a line having a bearing of South 59 degrees 53 minutes West a distance of 781.4 feet; thence South 61 degrees 49 minutes West 200.2 feet; thence around a curve to the right having a radius of 5,810 feet and tangent to a line having a bearing of South 69 degrees 32 minutes West a distance of 110.4 feet to the Point of Beginning, all in accordance with the attached plat and containing 3.21 acres, more or less.

Section 160. Upon the payment of the sum of \$1 to the State of Illinois, and subject to the conditions set forth in Section 900 of

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this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Wayne County, Illinois:

SBI Route 15
 Section 17
 Wayne County
 Job No. R-97-004-00
 Sta. 797+00 to Sta. 817+11
 Parcel No. 74330AX
 State of Illinois

EXCESS LAND

Part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) and part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4), all in Section 14, T2S, R5E of the Third Principal Meridian (as recorded in Book 5, Page 285), more particularly described as follows: Beginning at the Point of Intersection of the easterly right-of-way line of a public road, located along the west line of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, T2S, R5E of the Third Principal Meridian, and the existing northerly right-of-way line of State Bond Issue Route 15; thence North 53 feet with the easterly right-of-way line of a public road, located along the west line of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14; thence South 47 degrees 01 minute East 34.1 feet; thence North 85 degrees 58 minutes East 449.04 feet; thence around a curve to the left having a radius of 5,670 feet and tangent to the last described line a distance of 309 feet; thence North 77 degrees 28 minutes East 407.6 feet; thence around a curve to the left having a radius of 5,650 feet, and tangent to the last described line, a distance of 821.5 feet to the east line of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14, T2S, R5E of the Third Principal Meridian; thence South 252.8 feet with the east line of said West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14 to the existing northerly right-of-way line of said Route 15; thence West with the existing northerly right-of-way line of said Route 15 to the Point of Beginning, excepting therefrom, a tract containing 1.52 acres beginning at the Point of Intersection of the easterly right-of-way line of a public road, located along the west line of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, T2S, R5E of the Third Principal Meridian, and the existing northerly right-of-way line of State Bond Issue Route 15; thence North 53 feet with the easterly right-of-way line of a public road, located along the west line of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14; thence South 47 degrees 01 minute East 34.1 feet; thence North 85 degrees 58 minutes East 449.04 feet; thence around a curve to the left having a radius of 5,670 feet and tangent to the last described line a distance of 309 feet; thence North 85 degrees 58 minutes East 1,210.11 feet to the east line of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14, T2S, R5E of the Third Principal Meridian; thence South 36.42 feet with the east line of said West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 14 to the existing northerly right-of-way line of said Route 15; thence West with the existing northerly right-of-way line of said Route 15 to the Point of Beginning, all in accordance with the attached plat and

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containing 2.85 acres, more or less.

Section 165. Subject to appraisal by an appraiser who is licensed under the Real Estate Appraiser Licensing Act and upon the payment of a sum equal to the amount of that appraisal to the State of Illinois and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title, and interest in and to the following described land in Cook County, Illinois, to Lanco International (Mi-Jack):

A parcel of land being a part of the W 1/2 of the NW 1/4 of Section 25, Township 36, Range 13, east of the third principal meridian in Cook County, Illinois and more particularly described as follows:

Commencing from a point 1,323.17 feet south of the northwest corner of the W 1/2 of NW 1/4 of said section 25, thence east 150 feet, thence north 469.92 to a point 200 feet east of the western boundary of the W 1/2 of the NW 1/4 of said section 25, thence northwest at a 92 degree angle to a point 188 feet east of the western boundary of the W 1/2 of the NW 1/4 of said section 25, thence northwest at a 123 degree angle to a point 158 feet east of the western boundary of the W 1/2 of the NW 1/4 of said section 25, thence northwest at a 132.5 degree angle to a point 108 feet east of the western boundary of the W 1/2 of the NW 1/4 of said section 25, thence west 23 feet to a point 85 feet east of the western boundary of the W 1/2 of the NW 1/4 of said section 25, thence northwest at a 95 degree angle to a point 281.07 feet north, then commencing at a 90.5 degree angle to a point 30 feet north, thence northeast at a 48 degree angle to a point 60 feet east to the point of beginning.

Section 900. The Secretary of Transportation shall obtain a certified copy of the portions of this Act containing the title, enacting clause, the effective date, the appropriate Section or Sections containing the land descriptions of the property to be transferred or otherwise affected pursuant to Sections 5 through 165, and this Section within 60 days after its effective date and, upon receipt of payment required by the Section or Sections, if any payment is required, shall record the certified document in the Recorder's Office in the county which the land is located.

Section 905. Upon the payment of any sum required by the Cook County Forest Preserve District, and subject to the conditions set forth in Section 910 of this Act, the Cook County Forest Preserve is authorized to convey by quitclaim deed all of its right, title, and interest in and to the following described lands in Cook County, Illinois:

PARCEL A

Lot 46, 47, and 48 in block 6 in Indian Highlands, a subdivision of all that part of the west 225 acres of the north 32/80ths of the north Section of Robinson's Reserve in Township 40 North, Range 12 East of the Third Principal Meridian, lying east of a line as follows: Beginning at a point on the North line of the North Section 40.05 chains east of the Northwest corner of the North Section running thence South 22 1/4 degrees East 4.40 chains; thence South 63 1/2 degrees West 11.73 chains; thence North 55 1/2 degrees West 4.80 chains; thence South 35 1/2 degrees West 3.57 chains; thence North 79 degrees West 5.30 chains; thence South 2 degrees East 24.15 chains to the South line of said North 32/80ths of North Section, Cook County, Illinois.

Permanent Index Number: 12-10-303-046

PARCEL B

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That portion lying northwest of the northwesterly right of way line of the Chicago, Rock Island and Pacific Railway of the property described as follows:

The West half (W. 1/2)(except therefrom the right of way of the Chicago Rock Island and Pacific Railroad) of Lot 2 in Assessor's Division of the Northeast quarter (N.E. 1/4) of Section Twenty-nine (29), Township Thirty-six (36) North, Range Thirteen (13) East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Index Number: 28-29-211-010

PARCEL C

That part of Lot Four (4) of partition between the children of Hans Johann Schrum (also known as John Schrum, deceased) of lands left by him in Fractional Section 20 and 29, Township 36 North, Range 15 East of the Third Principal Meridian, lying west of Wentworth Avenue and South of a line 50 feet South of and parallel to the following described line: Commencing at a cross notch in the center line of the pavement of Wentworth Avenue, which is 204.5 feet South of the North line of the South 1/2 of the Northeast Fractional Quarter of Said Section 20; running thence westerly on a curve having a radius of 1766.84 feet and being convex to the south and being tangent to a line forming an angle of 90 degrees and 9 minutes to the northeast with the center line of said Wentworth Avenue, in Cook County, Illinois.

Also, that portion lying south of the south right of way line of River Oaks Drive of the property described as follows:

That part of Section 20, Township 36 North, Range 15 East of the Third Principal Meridian Described as follows: Commencing at a point 12.303 chains East of the Northwest corner of the East 1/2 of the Northwest 1/4 of Section 20 aforesaid; thence running east 8.994 chains; thence south 20 chains; thence west 2.50 chains; running thence south 363.4 feet, more or less, to the center line of Prairie or Ridge Road (Schrum Road); running thence Northwesterly in the center of said Road to a point due south of the place of beginning, running thence north 1458.7 feet, more or less, to the point of beginning, in Cook County, Illinois.

Permanent Index Number: Part of 30-20-103-003 and Part of 30-20-202-016

PARCEL E

That portion of the East 1/2 of the Southeast 1/4 of Section 35, Township 40 North, Range 12 East of the Third Principal Meridian lying northeasterly of the northeasterly right of way line of Thatcher Avenue in Cook County, Illinois.

Permanent Index Number: Part of 12-3 5-400-003

PARCEL F

That portion of the East 1/2 of the West 1/2 of Fractional Section 1 of Township 41 North, Range 9 East of the Third Principal Meridian lying north of the 240 foot wide right of way of Higgins Road (Route 72), except that part thereof conveyed to the Illinois State Toll Highway Commission by deed recorded April 25, 1957 as document number 16887105, and also except that part conveyed to The Northern Illinois Gas Company by deed recorded December 3, 1958 as document number 17393730 in Cook County, Illinois.

Permanent Index Number: 06-01-101-003

Section 910. The Cook County Forest Preserve District shall obtain a certified copy of the portions of this Act containing the title, the enacting clause, the effective date, Section 905, and this Section within 60 days after its effective date and upon receipt of the required payment, if payment is required, shall record the

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certified document in the Recorder's Office in Cook County.

Section 915. Both the Illinois State Bar Association and the State of Illinois claim an ownership interest in the following described land:

The South 16 feet of the East 160 feet of the North 232 feet of Lot 47 of Assessor's Subdivision of the Northeast Quarter of Section 33 and the West Half of the Northwest Quarter of Section 34, Township 16 North, Range 5 West of the Third Principal Meridian; situated in Sangamon County, Illinois.

The land is located to the rear of the Illinois Bar Center on South Second Street in Springfield and is adjacent on the north to the property upon which the Supreme Court Building is located. The land may once have been used as an alley and is currently being used by the Attorney General for parking spaces in connection with the Attorney General's building on South Second Street to the south of the Illinois Bar Center across Jackson Street.

It is to the benefit of the State of Illinois to resolve the title dispute and to secure adequate parking arrangements.

Upon the Illinois State Bar Association entering into an agreement satisfactory to the Attorney General concerning alternate parking arrangements and in consideration of that agreement, the Attorney General is directed (i) to convey by quit claim deed all right, title, and interest of the State of Illinois in and to the described land to the Illinois State Bar Association and (ii) to obtain a certified copy of the portions of this Act containing the title, the enacting clause, the effective date, and this Section and to record the certified document in the Recorder's Office of Sangamon County.

Section 999. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sullivan, House Bill No. 3305 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Watson, House Bill No. 3387 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hawkinson, House Bill No. 3584 was taken up, read by title a second time and ordered to a third reading.

REPORTS FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its May 5, 2001 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: House Bills numbered 417 and 700.
Appropriations: House Bills numbered 371, 2137, 3426, 3439, 3440 and 3463.

Commerce and Industry: House Bill No. 1664.

Education: House Bills numbered 678, 1692, 1712, 1840, 2255, 3050, 3137, 3192 and 3566.

Environment and Energy: House Bills numbered 356, 842, 1148, 1189, 1887, 2426, 2575, 2900, 3347 and 3373.

Executive: House Bills numbered 32, 173, 201, 207, 211, 263, 505, 604, 778, 934, 1027, 1029, 1215, 1519, 1521, 1523, 1531, 1599,

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1614, 1623, 1655, 1978, 2428, 2439, 2641, 2646, 3078, 3095, 3098, 3162 and 3392.

Financial Institutions: House Bills numbered 1030, 1051, 1089, 2376, 2538 and 3008.

Insurance and Pensions: House Bills numbered 48, 1465, 1466 and 3308.

Judiciary: House Bills numbered 335, 445, 452, 643, 889, 1125, 1415, 2019, 2207, 2228, 2440, 2844, 2845, 2847, 3154, 3262 and 3284.

Licensed Activities: House Bills numbered 273, 1356, 1695, 2148, 2463 and 3194.

Local Government: House Bills numbered 1478, 1810, 1829, 1973, 2277 and 3576.

Public Health and Welfare: House Bills numbered 279, 638, 1095, 1684, 1819, 1911, 3002, 3003 and 3126.

Revenue: House Bills numbered 183, 760, 843, 1094, 1270, 1813, 1975, 2378, 3288, 3289 and 3292.

State Government Operations: House Bills numbered 1640, 3307 and 3574.

Transportation: House Bills numbered 185, 293, 1493, 1709, 1904, 2254 and 3065.

Senator Weaver, Chairperson of the Committee on Rules, during its May 2, 2001 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: Senate Joint Resolution No. 28.

Executive: Senate Resolutions numbered 64, 70 and 88; Senate Joint Resolution No. 6.

Senator Weaver, Chairperson of the Committee on Rules, during its May 2, 2001 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Agriculture and Conservation: Senate Amendment No. 1 to House Bill 2528.

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Senate Amendment 1 to Senate Bill 1264

Senate Amendment 2 to House Bill 1069

Senate Amendment 1 to House Bill 1942

The foregoing floor amendments were placed on the Secretary's Desk.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Watson, House Bill No. 1069 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1069 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Section 26 as follows:

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(230 ILCS 5/26) (from Ch. 8, par. 37-26)

Sec. 26. Wagering.

(a) Any licensee may conduct and supervise the pari-mutuel system of wagering, as defined in Section 3.12 of this Act, on horse races conducted by an Illinois organization licensee or conducted at a racetrack located in another state or country and televised in Illinois in accordance with subsection (g) of Section 26 of this Act. Subject to the prior consent of the Board, licensees may supplement any pari-mutuel pool in order to guarantee a minimum distribution. Such pari-mutuel method of wagering shall not, under any circumstances if conducted under the provisions of this Act, be held or construed to be unlawful, other statutes of this State to the contrary notwithstanding. Subject to rules for advance wagering promulgated by the Board, any licensee may accept wagers in advance of the day of the race wagered upon occurs.

(b) No other method of betting, pool making, wagering or gambling shall be used or permitted by the licensee. Each licensee may retain, subject to the payment of all applicable taxes and purses, an amount not to exceed 17% of all money wagered under subsection (a) of this Section, except as may otherwise be permitted under this Act.

(b-5) An individual may place a wager under the pari-mutuel system from any licensed location authorized under this Act provided that wager is electronically recorded in the manner described in Section 3.12 of this Act. Any wager made electronically by an individual while physically on the premises of a licensee shall be deemed to have been made at the premises of that licensee.

(c) Until January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be paid to the Illinois Veterans' Rehabilitation Fund of the State treasury, except as provided in subsection (g) of Section 27 of this Act.

(c-5) Beginning January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be evenly distributed to the purse account of the organization licensee and the organization licensee.

(d) A pari-mutuel ticket shall be honored until December 31 of the next calendar year, and the licensee shall pay the same and may charge the amount thereof against unpaid money similarly accumulated on account of pari-mutuel tickets not presented for payment.

(e) No licensee shall knowingly permit any minor, other than an employee of such licensee or an owner, trainer, jockey, driver, or employee thereof, to be admitted during a racing program unless accompanied by a parent or guardian, or any minor to be a patron of the pari-mutuel system of wagering conducted or supervised by it. The admission of any unaccompanied minor, other than an employee of the licensee or an owner, trainer, jockey, driver, or employee thereof at a race track is a Class C misdemeanor.

(f) Notwithstanding the other provisions of this Act, an organization licensee may contract with an entity in another state or

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country to permit any legal wagering entity in another state or country to accept wagers solely within such other state or country on races conducted by the organization licensee in this State. Beginning January 1, 2000, these wagers shall not be subject to State taxation. Until January 1, 2000, when the out-of-State entity conducts a pari-mutuel pool separate from the organization licensee, a privilege tax equal to 7 1/2% of all monies received by the organization licensee from entities in other states or countries pursuant to such contracts is imposed on the organization licensee, and such privilege tax shall be remitted to the Department of Revenue within 48 hours of receipt of the moneys from the simulcast. When the out-of-State entity conducts a combined pari-mutuel pool with the organization licensee, the tax shall be 10% of all monies received by the organization licensee with 25% of the receipts from this 10% tax to be distributed to the county in which the race was conducted.

An organization licensee may permit one or more of its races to be utilized for pari-mutuel wagering at one or more locations in other states and may transmit audio and visual signals of races the organization licensee conducts to one or more locations outside the State or country and may also permit pari-mutuel pools in other states or countries to be combined with its gross or net wagering pools or with wagering pools established by other states.

(g) A host track may accept interstate simulcast wagers on horse races conducted in other states or countries and shall control the number of signals and types of breeds of racing in its simulcast program, subject to the disapproval of the Board. The Board may prohibit a simulcast program only if it finds that the simulcast program is clearly adverse to the integrity of racing. The host track simulcast program shall include the signal of live racing of all organization licensees. All non-host licensees shall carry the host track simulcast program and accept wagers on all races included as part of the simulcast program upon which wagering is permitted. The costs and expenses of the host track and non-host licensees associated with interstate simulcast wagering, other than the interstate commission fee, shall be borne by the host track and all non-host licensees incurring these costs. The interstate commission fee shall not exceed 5% of Illinois handle on the interstate simulcast race or races without prior approval of the Board. The Board shall promulgate rules under which it may permit interstate commission fees in excess of 5%. The interstate commission fee and other fees charged by the sending racetrack, including, but not limited to, satellite decoder fees, shall be uniformly applied to the host track and all non-host licensees.

(1) Between the hours of 6:30 a.m. and 6:30 p.m. an intertrack wagering licensee other than the host track may supplement the host track simulcast program with additional simulcast races or race programs, provided that between January 1 and the third Friday in February of any year, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, only thoroughbred races may be used for supplemental interstate simulcast purposes. The Board shall withhold approval for a supplemental interstate simulcast only if it finds that the simulcast is clearly adverse to the integrity of racing. A supplemental interstate simulcast may be transmitted from an intertrack wagering licensee to its affiliated non-host licensees. The interstate commission fee for a supplemental interstate simulcast shall be paid by the non-host licensee and its affiliated non-host licensees receiving the simulcast.

(2) Between the hours of 6:30 p.m. and 6:30 a.m. an intertrack wagering licensee other than the host track may

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receive supplemental interstate simulcasts only with the consent of the host track, except when the Board finds that the simulcast is clearly adverse to the integrity of racing. Consent granted under this paragraph (2) to any intertrack wagering licensee shall be deemed consent to all non-host licensees. The interstate commission fee for the supplemental interstate simulcast shall be paid by all participating non-host licensees.

(3) Each licensee conducting interstate simulcast wagering may retain, subject to the payment of all applicable taxes and the purses, an amount not to exceed 17% of all money wagered. If any licensee conducts the pari-mutuel system wagering on races conducted at racetracks in another state or country, each such race or race program shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax of that daily handle as provided in subsection (a) of Section 27. Until January 1, 2000, from the sums permitted to be retained pursuant to this subsection, each intertrack wagering location licensee shall pay 1% of the pari-mutuel handle wagered on simulcast wagering to the Horse Racing Tax Allocation Fund, subject to the provisions of subparagraph (B) of paragraph (11) of subsection (h) of Section 26 of this Act.

(4) A licensee who receives an interstate simulcast may combine its gross or net pools with pools at the sending racetracks pursuant to rules established by the Board. All licensees combining their gross pools at a sending racetrack shall adopt the take-out percentages of the sending racetrack. A licensee may also establish a separate pool and takeout structure for wagering purposes on races conducted at race tracks outside of the State of Illinois. The licensee may permit pari-mutuel wagers placed in other states or countries to be combined with its gross or net wagering pools or other wagering pools.

(5) After the payment of the interstate commission fee (except for the interstate commission fee on a supplemental interstate simulcast, which shall be paid by the host track and by each non-host licensee through the host-track) and all applicable State and local taxes, except as provided in subsection (g) of Section 27 of this Act, the remainder of moneys retained from simulcast wagering pursuant to this subsection (g), and Section 26.2 shall be divided as follows:

(A) For interstate simulcast wagers made at a host track, 50% to the host track and 50% to purses at the host track.

(B) For wagers placed on interstate simulcast races, supplemental simulcasts as defined in subparagraphs (1) and (2), and separately pooled races conducted outside of the State of Illinois made at a non-host licensee, 25% to the host track, 25% to the non-host licensee, and 50% to the purses at the host track.

(6) Notwithstanding any provision in this Act to the contrary, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River may receive supplemental interstate simulcast races at all times subject to Board approval, which shall be withheld only upon a finding that a supplemental interstate simulcast is clearly adverse to the integrity of racing.

(7) Notwithstanding any provision of this Act to the contrary, after payment of all applicable State and local taxes and interstate commission fees, non-host licensees who derive their licenses from a track located in a county with a population

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in excess of 230,000 and that borders the Mississippi River shall retain 50% of the retention from interstate simulcast wagers and shall pay 50% to purses at the track from which the non-host licensee derives its license as follows:

(A) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, when the interstate simulcast is a standardbred race, the purse share to its standardbred purse account;

(B) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, and the interstate simulcast is a thoroughbred race, the purse share to its interstate simulcast purse pool to be distributed under paragraph (10) of this subsection (g);

(C) Between January 1 and the third Friday in February, inclusive, if live thoroughbred racing is occurring in Illinois, between 6:30 a.m. and 6:30 p.m. the purse share from wagers made during this time period to its thoroughbred purse account and between 6:30 p.m. and 6:30 a.m. the purse share from wagers made during this time period to its standardbred purse accounts;

(D) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 a.m. and 6:30 p.m., the purse share to its thoroughbred purse account;

(E) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 p.m. and 6:30 a.m., the purse share to its standardbred purse account.

(7.1) Notwithstanding any other provision of this Act to the contrary, if no standardbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during that calendar year shall be paid as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be paid to its thoroughbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund and shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. The moneys deposited into the Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with other moneys paid into that Fund. The moneys deposited pursuant to this subparagraph (B) shall be allocated as provided by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board.

(7.2) Notwithstanding any other provision of this Act to the contrary, if no thoroughbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that

(1) are to be used for purses and (2) are generated between the hours of 6:30 a.m. and 6:30 p.m. during that calendar year shall deposited be as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be deposited into its standardbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund. Moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be paid to Illinois conceived and foaled thoroughbred breeders' programs and to thoroughbred purses for races conducted at any county fairgrounds for Illinois conceived and foaled horses at the discretion of the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. The moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to thoroughbred purses under this Act, and shall not be commingled with other moneys deposited into that Fund.

(7.3) If no live standardbred racing is conducted at a racetrack located in Madison County in calendar year 2000 or 2001, an organization licensee who is licensed to conduct horse racing at that racetrack shall, before January 1, 2002, pay all moneys derived from simulcast wagering and inter-track wagering in calendar years 2000 and 2001 and paid into the licensee's standardbred purse account as follows:

(A) Eighty percent to that licensee's thoroughbred purse account to be used for thoroughbred purses; and

(B) Twenty percent to the Illinois Colt Stakes Purse Distribution Fund.

Failure to make the payment to the Illinois Colt Stakes Purse Distribution Fund before January 1, 2002 shall result in the immediate revocation of the licensee's organization license, inter-track wagering license, and inter-track wagering location license.

Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be used as determined by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with any other moneys paid into that Fund.

(7.4) If live standardbred racing is conducted at a racetrack located in Madison County at any time in calendar year 2001 before the payment required under paragraph (7.3) has been made, the organization licensee who is licensed to conduct racing at that racetrack shall pay all moneys derived by that racetrack from simulcast wagering and inter-track wagering during calendar years 2000 and 2001 that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or 2001 to the standardbred purse account at that racetrack to be used for standardbred purses.

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(8) Notwithstanding any provision in this Act to the contrary, an organization licensee from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River and its affiliated non-host licensees shall not be entitled to share in any retention generated on racing, inter-track wagering, or simulcast wagering at any other Illinois wagering facility.

(8.1) Notwithstanding any provisions in this Act to the contrary, if 2 organization licensees are conducting standardbred race meetings concurrently between the hours of 6:30 p.m. and 6:30 a.m., after payment of all applicable State and local taxes and interstate commission fees, the remainder of the amount retained from simulcast wagering otherwise attributable to the host track and to host track purses shall be split daily between the 2 organization licensees and the purses at the tracks of the 2 organization licensees, respectively, based on each organization licensee's share of the total live handle for that day, provided that this provision shall not apply to any non-host licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Board shall have authority to compel all host tracks to receive the simulcast of any or all races conducted at the Springfield or DuQuoin State fairgrounds and include all such races as part of their simulcast programs.

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board certifies in writing to the wagering facility the amount to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the race track affiliated with the wagering facility for purses during the succeeding year; and (iii) the need to ensure reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred

and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section.

(h) The Board may approve and license the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees subject to the following terms and conditions:

(1) Any person licensed to conduct a race meeting at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually or at a track located in a county that is bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license. Any such person having operating control of the racing facility may also receive up to 6 inter-track wagering location licenses. In no event shall more than 6 inter-track wagering locations be established for each eligible race track, except that an eligible race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River may establish up to 7 inter-track wagering locations. An application for said license shall be filed with the Board prior to such dates as may be fixed by the Board. With an application for an inter-track wagering location license there shall be delivered to the Board a certified check or bank draft payable to the order of the Board for an amount equal to \$500. The application shall be on forms prescribed and furnished by the Board. The application shall comply with all other rules, regulations and conditions imposed by the Board in connection therewith.

(1.5) In addition to any other requirement imposed pursuant to this Act, the Board shall award to an organization licensee located in Madison County, no less than the requisite number of days necessary to conduct 100 days of live racing. In order for an organization licensee located in Madison County to receive an inter-track wagering license or an inter-track wagering location license, the organization licensee must conduct at least 100 days of live racing.

In the case of extraordinary circumstances and in the best interests of the public and the sport of horse racing, however, the Board may permit an organization licensee located in Madison County to conduct fewer than 100 days of live racing and retain its inter-track wagering license, inter-track wagering location license, or both, when approved by a two-thirds vote of the appointed Board members.

(2) The Board shall examine the applications with respect to their conformity with this Act and the rules and regulations imposed by the Board. If found to be in compliance with the Act and rules and regulations of the Board, the Board may then issue a license to conduct inter-track wagering and simulcast wagering to such applicant. All such applications shall be acted upon by

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the Board at a meeting to be held on such date as may be fixed by the Board.

(3) In granting licenses to conduct inter-track wagering and simulcast wagering, the Board shall give due consideration to the best interests of the public, of horse racing, and of maximizing revenue to the State.

(4) Prior to the issuance of a license to conduct inter-track wagering and simulcast wagering, the applicant shall file with the Board a bond payable to the State of Illinois in the sum of \$50,000, executed by the applicant and a surety company or companies authorized to do business in this State, and conditioned upon (i) the payment by the licensee of all taxes due under Section 27 or 27.1 and any other monies due and payable under this Act, and (ii) distribution by the licensee, upon presentation of the winning ticket or tickets, of all sums payable to the patrons of pari-mutuel pools.

(5) Each license to conduct inter-track wagering and simulcast wagering shall specify the person to whom it is issued, the dates on which such wagering is permitted, and the track or location where the wagering is to be conducted.

(6) All wagering under such license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such license issued by the Board shall contain a recital to that effect.

(7) An inter-track wagering licensee or inter-track wagering location licensee may accept wagers at the track or location where it is licensed, or as otherwise provided under this Act.

(8) Inter-track wagering or simulcast wagering shall not be conducted at any track less than 5 miles from a track at which a racing meeting is in progress.

(8.1) Inter-track wagering location licensees who derive their licenses from a particular organization licensee shall conduct inter-track wagering and simulcast wagering only at locations which are either within 90 miles of that race track where the particular organization licensee is licensed to conduct racing, or within 135 miles of that race track where the particular organization licensee is licensed to conduct racing in the case of race tracks in counties of less than 400,000 that were operating on or before June 1, 1986. However, inter-track wagering and simulcast wagering shall not be conducted by those licensees at any location within 5 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made.

(8.2) Inter-track wagering or simulcast wagering shall not be conducted by an inter-track wagering location licensee at any location within 500 feet of an existing church or existing school, nor within 500 feet of the residences of more than 50 registered voters without receiving written permission from a majority of the registered voters at such residences. Such written permission statements shall be filed with the Board. The distance of 500 feet shall be measured to the nearest part of any building used for worship services, education programs, residential purposes, or conducting inter-track wagering by an inter-track wagering location licensee, and not to property boundaries. However, inter-track wagering or simulcast wagering may be conducted at a site within 500 feet of a church, school or

residences of 50 or more registered voters if such church, school or residences have been erected or established, or such voters have been registered, after the Board issues the original inter-track wagering location license at the site in question. Inter-track wagering location licensees may conduct inter-track wagering and simulcast wagering only in areas that are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved by the local zoning authority. However, no license to conduct inter-track wagering and simulcast wagering shall be granted by the Board with respect to any inter-track wagering location within the jurisdiction of any local zoning authority which has, by ordinance or by resolution, prohibited the establishment of an inter-track wagering location within its jurisdiction. However, inter-track wagering and simulcast wagering may be conducted at a site if such ordinance or resolution is enacted after the Board licenses the original inter-track wagering location licensee for the site in question.

(9) (Blank).

(10) An inter-track wagering licensee or an inter-track wagering location licensee may retain, subject to the payment of the privilege taxes and the purses, an amount not to exceed 17% of all money wagered. Each program of racing conducted by each inter-track wagering licensee or inter-track wagering location licensee shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax or pari-mutuel tax on such daily handle as provided in Section 27.

(10.1) Except as provided in subsection (g) of Section 27 of this Act, inter-track wagering location licensees shall pay 1% of the pari-mutuel handle at each location to the municipality in which such location is situated and 1% of the pari-mutuel handle at each location to the county in which such location is situated. In the event that an inter-track wagering location licensee is situated in an unincorporated area of a county, such licensee shall pay 2% of the pari-mutuel handle from such location to such county.

(10.2) Notwithstanding any other provision of this Act, with respect to intertrack wagering at a race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River ("the first race track"), or at a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, on races conducted at the first race track or on races conducted at another Illinois race track and simultaneously televised to the first race track or to a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, those moneys shall be allocated as follows:

(A) That portion of all moneys wagered on standardbred racing that is required under this Act to be paid to purses shall be paid to purses for standardbred races.

(B) That portion of all moneys wagered on thoroughbred racing that is required under this Act to be paid to purses shall be paid to purses for thoroughbred races.

(11) (A) After payment of the privilege or pari-mutuel tax, any other applicable taxes, and the costs and expenses in connection with the gathering, transmission, and dissemination of all data necessary to the conduct of inter-track wagering, the

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remainder of the monies retained under either Section 26 or Section 26.2 of this Act by the inter-track wagering licensee on inter-track wagering shall be allocated with 50% to be split between the 2 participating licensees and 50% to purses, except that an intertrack wagering licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the Illinois organization licensee that provides the race or races, and an intertrack wagering licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with that organization licensee.

(B) From the sums permitted to be retained pursuant to this Act each inter-track wagering location licensee shall pay (i) the privilege or pari-mutuel tax to the State; (ii) 4.75% of the pari-mutuel handle on intertrack wagering at such location on races as purses, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain all purse moneys for its own purse account consistent with distribution set forth in this subsection (h), and intertrack wagering location licensees that accept wagers on races conducted by an organization licensee located in a county with a population in excess of 230,000 and that borders the Mississippi River shall distribute all purse moneys to purses at the operating host track; (iii) until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, 1% of the pari-mutuel handle wagered on inter-track wagering and simulcast wagering at each inter-track wagering location licensee facility to the Horse Racing Tax Allocation Fund, provided that, to the extent the total amount collected and distributed to the Horse Racing Tax Allocation Fund under this subsection (h) during any calendar year exceeds the amount collected and distributed to the Horse Racing Tax Allocation Fund during calendar year 1994, that excess amount shall be redistributed (I) to all inter-track wagering location licensees, based on each licensee's pro-rata share of the total handle from inter-track wagering and simulcast wagering for all inter-track wagering location licensees during the calendar year in which this provision is applicable; then (II) the amounts redistributed to each inter-track wagering location licensee as described in subpart (I) shall be further redistributed as provided in subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 provided first, that the shares of those amounts, which are to be redistributed to the host track or to purses at the host track under subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 shall be redistributed based on each host track's pro rata share of the total inter-track wagering and simulcast wagering handle at all host tracks during the calendar year in question, and second, that any amounts redistributed as described in part (I) to an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall be further redistributed as provided in subparagraphs (D) and (E) of paragraph (7) of subsection (g) of this Section 26, with the portion of that further redistribution allocated to purses at that organization licensee to be divided

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between standardbred purses and thoroughbred purses based on the amounts otherwise allocated to purses at that organization licensee during the calendar year in question; and (iv) 8% of the pari-mutuel handle on inter-track wagering wagered at such location to satisfy all costs and expenses of conducting its wagering. The remainder of the monies retained by the inter-track wagering location licensee shall be allocated 40% to the location licensee and 60% to the organization licensee which provides the Illinois races to the location, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee that provides the race or races and an intertrack wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee. Notwithstanding the provisions of clauses (ii) and (iv) of this paragraph, in the case of the additional inter-track wagering location licenses authorized under paragraph (1) of this subsection (h) by this amendatory Act of 1991, those licensees shall pay the following amounts as purses: during the first 12 months the licensee is in operation, 5.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 5.25%; during the third 12 months, 5.75%; during the fourth 12 months, 6.25%; and during the fifth 12 months and thereafter, 6.75%. The following amounts shall be retained by the licensee to satisfy all costs and expenses of conducting its wagering: during the first 12 months the licensee is in operation, 8.25% of the pari-mutuel handle wagered at the location; during the second 12 months, 8.25%; during the third 12 months, 7.75%; during the fourth 12 months, 7.25%; and during the fifth 12 months and thereafter, 6.75%. For additional intertrack wagering location licensees authorized under this amendatory Act of 1995, purses for the first 12 months the licensee is in operation shall be 5.75% of the pari-mutuel wagered at the location, purses for the second 12 months the licensee is in operation shall be 6.25%, and purses thereafter shall be 6.75%. For additional intertrack location licensees authorized under this amendatory Act of 1995, the licensee shall be allowed to retain to satisfy all costs and expenses: 7.75% of the pari-mutuel handle wagered at the location during its first 12 months of operation, 7.25% during its second 12 months of operation, and 6.75% thereafter.

(C) There is hereby created the Horse Racing Tax Allocation Fund which shall remain in existence until December 31, 1999. Moneys remaining in the Fund after December 31, 1999 shall be paid into the General Revenue Fund. Until January 1, 2000, all monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) by inter-track wagering location licensees located in park districts of 500,000 population or less, or in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, and operating on May 1, 1994 shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the

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Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to park districts or municipalities that do not have a park district of 500,000 population or less for museum purposes (if an inter-track wagering location licensee is located in such a park district) or to conservation districts for museum purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, except that if the conservation district does not maintain a museum, the monies shall be allocated equally between the county and the municipality in which the inter-track wagering location licensee is located for general purposes) or to a municipal recreation board for park purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district and park maintenance is the function of the municipal recreation board and the municipality has a 1990 population of 9,302 according to the United States Bureau of the Census); provided that the monies are distributed to each park district or conservation district or municipality that does not have a park district in an amount equal to four-sevenths of the amount collected by each inter-track wagering location licensee within the park district or conservation district or municipality for the Fund. Monies that were paid into the Horse Racing Tax Allocation Fund before the effective date of this amendatory Act of 1991 by

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an inter-track wagering location licensee located in a municipality that is not included within any park district but is included within a conservation district as provided in this paragraph shall, as soon as practicable after the effective date of this amendatory Act of 1991, be allocated and paid to that conservation district as provided in this paragraph. Any park district or municipality not maintaining a museum may deposit the monies in the corporate fund of the park district or municipality where the inter-track wagering location is located, to be used for general purposes; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967.

Until January 1, 2000, all other monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to museums and aquariums located in park districts of over 500,000 population; provided that the monies are distributed in accordance with the previous year's distribution of the maintenance tax for such museums and aquariums as provided in Section 2 of the Park District Aquarium and Museum Act; and

One-seventh to the Agricultural Premium Fund to be used

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for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967. This subparagraph (C) shall be inoperative and of no force and effect on and after January 1, 2000.

(D) Except as provided in paragraph (11) of this subsection (h), with respect to purse allocation from intertrack wagering, the monies so retained shall be divided as follows:

(i) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is not conducting its own race meeting during the same dates, then the entire purse allocation shall be to purses at the track where the races wagered on are being conducted.

(ii) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is also conducting its own race meeting during the same dates, then the purse allocation shall be as follows: 50% to purses at the track where the races wagered on are being conducted; 50% to purses at the track where the inter-track wagering licensee is accepting such wagers.

(iii) If the inter-track wagering is being conducted by an inter-track wagering location licensee, except an intertrack wagering location licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, the entire purse allocation for Illinois races shall be to purses at the track where the race meeting being wagered on is being held.

(12) The Board shall have all powers necessary and proper to fully supervise and control the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees, including, but not limited to the following:

(A) The Board is vested with power to promulgate reasonable rules and regulations for the purpose of administering the conduct of this wagering and to prescribe reasonable rules, regulations and conditions under which such wagering shall be held and conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of said wagering and to impose penalties for violations thereof.

(B) The Board, and any person or persons to whom it delegates this power, is vested with the power to enter the facilities of any licensee to determine whether there has been compliance with the provisions of this Act and the rules and regulations relating to the conduct of such wagering.

(C) The Board, and any person or persons to whom it delegates this power, may eject or exclude from any

licensee's facilities, any person whose conduct or reputation is such that his presence on such premises may, in the opinion of the Board, call into the question the honesty and integrity of, or interfere with the orderly conduct of such wagering; provided, however, that no person shall be excluded or ejected from such premises solely on the grounds of race, color, creed, national origin, ancestry, or sex.

(D) (Blank).

(E) The Board is vested with the power to appoint delegates to execute any of the powers granted to it under this Section for the purpose of administering this wagering and any rules and regulations promulgated in accordance with this Act.

(F) The Board shall name and appoint a State director of this wagering who shall be a representative of the Board and whose duty it shall be to supervise the conduct of inter-track wagering as may be provided for by the rules and regulations of the Board; such rules and regulation shall specify the method of appointment and the Director's powers, authority and duties.

(G) The Board is vested with the power to impose civil penalties of up to \$5,000 against individuals and up to \$10,000 against licensees for each violation of any provision of this Act relating to the conduct of this wagering, any rules adopted by the Board, any order of the Board or any other action which in the Board's discretion, is a detriment or impediment to such wagering.

(13) The Department of Agriculture may enter into agreements with licensees authorizing such licensees to conduct inter-track wagering on races to be held at the licensed race meetings conducted by the Department of Agriculture. Such agreement shall specify the races of the Department of Agriculture's licensed race meeting upon which the licensees will conduct wagering. In the event that a licensee conducts inter-track pari-mutuel wagering on races from the Illinois State Fair or DuQuoin State Fair which are in addition to the licensee's previously approved racing program, those races shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege or pari-mutuel tax on that daily handle as provided in Sections 27 and 27.1. Such agreements shall be approved by the Board before such wagering may be conducted. In determining whether to grant approval, the Board shall give due consideration to the best interests of the public and of horse racing. The provisions of paragraphs (1), (8), (8.1), and (8.2) of subsection (h) of this Section which are not specified in this paragraph (13) shall not apply to licensed race meetings conducted by the Department of Agriculture at the Illinois State Fair in Sangamon County or the DuQuoin State Fair in Perry County, or to any wagering conducted on those race meetings.

(i) Notwithstanding the other provisions of this Act, the conduct of wagering at wagering facilities is authorized on all days, except as limited by subsection (b) of Section 19 of this Act.

(Source: P.A. 91-40, eff. 6-25-99.)

Section 90. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect upon becoming law."

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Senator Watson offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 1069, AS AMENDED, with reference to page and line numbers of Senate amendment No. 1 on page 14, line 1, before "at" by inserting "(i)"; and on page 14, line 5, " by changing "or" to "may be issued an inter-track wagering license; (ii) or"; and on page 14, line 10, after "license" by inserting "; or (iii) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding calendar year may be issued an inter-track wagering license, unless a lesser schedule of live racing is the result of (A) weather, unsafe track conditions, or other acts of God; (B) an agreement between the organization licensee and the associations representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting; or (C) a finding by the Board of extraordinary circumstances and that it was in the best interest of the public and the sport to conduct fewer than 100 days of live racing"; and on page 14, by deleting lines 28 through 34; and on page 15, by deleting lines 1 through 10.

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

At the hour of 12:54 o'clock p.m., Senator Watson presiding.

On motion of Senator Philip, House Bill No. 2563 was taken up, read by title a second time and ordered to a third reading.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 129

Offered by Senator Silverstein and all Senators:
Mourns the death of Melvin Eisenberg of Chicago.

The foregoing resolution was referred to the Resolutions Consent Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message from the House by
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 839

A bill for AN ACT in relation to children.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 839

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House Amendment No. 2 to SENATE BILL NO. 839
House Amendment No. 3 to SENATE BILL NO. 839

Passed the House, as amended, May 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 839

AMENDMENT NO. 1. Amend Senate Bill 839 on page 1, line 10, by changing "may" to "shall may"; and on page 1, line 19, by changing "the Child" to "a Child".

AMENDMENT NO. 2 TO SENATE BILL 839

AMENDMENT NO. 2. Amend Senate Bill 839 on page 1, between lines 3 and 4, by inserting the following:

"Section 2. The Children and Family Services Act is amended by changing Sections 7, 7.3, and 35.6 and adding Section 5d as follows:

(20 ILCS 505/5d new)

Sec. 5d. Advocacy Office for Children and Families. The Department of Children and Family Services shall establish and maintain an Advocacy Office for Children and Families that shall, in addition to other duties assigned by the Director, receive and respond to complaints that may be filed by children, parents, caretakers, and relatives of children receiving child welfare services from the Department of Children and Family Services or its agents. The Department shall promulgate policies and procedures for filing, processing, investigating, and resolving the complaints. The Department shall make a final report to the complainant of its findings. If a final report is not completed, the Department shall report on its disposition every 30 days. The Advocacy Office shall include a statewide toll-free telephone number that may be used to file complaints, or to obtain information about the delivery of child welfare services by the Department or its agents. This telephone number shall be included in all appropriate notices and handbooks regarding services available through the Department.

(20 ILCS 505/7) (from Ch. 23, par. 5007)

Sec. 7. Placement of children; considerations.

(a) In placing any child under this Act, the Department shall place such child, as far as possible, in the care and custody of some individual holding the same religious belief as the parents of the child, or with some child care facility which is operated by persons of like religious faith as the parents of such child.

(b) In placing a child under this Act, the Department may place a child with a relative if the Department has reason to believe that the relative will be able to adequately provide for the child's safety and welfare. The Department may not place a child with a relative, with the exception of certain circumstances which may be waived as defined by the Department in rules, if the results of a check of the Law Enforcement Agency Data System (LEADS) identifies a prior criminal conviction of the relative or any adult member of the relative's household for any of the following offenses under the Criminal Code of 1961:

- (1) murder;
- (1.1) solicitation of murder;
- (1.2) solicitation of murder for hire;
- (1.3) intentional homicide of an unborn child;
- (1.4) voluntary manslaughter of an unborn child;
- (1.5) involuntary manslaughter;
- (1.6) reckless homicide;
- (1.7) concealment of a homicidal death;
- (1.8) involuntary manslaughter of an unborn child;

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- (1.9) reckless homicide of an unborn child;
- (1.10) drug-induced homicide;
- (2) a sex offense under Article 11, except offenses described in Sections 11-7, 11-8, 11-12, and 11-13;
- (3) kidnapping;
- (3.1) aggravated unlawful restraint;
- (3.2) forcible detention;
- (3.3) aiding and abetting child abduction;
- (4) aggravated kidnapping;
- (5) child abduction;
- (6) aggravated battery of a child;
- (7) criminal sexual assault;
- (8) aggravated criminal sexual assault;
- (8.1) predatory criminal sexual assault of a child;
- (9) criminal sexual abuse;
- (10) aggravated sexual abuse;
- (11) heinous battery;
- (12) aggravated battery with a firearm;
- (13) tampering with food, drugs, or cosmetics;
- (14) drug-induced infliction of great bodily harm;
- (15) aggravated stalking;
- (16) home invasion;
- (17) vehicular invasion;
- (18) criminal transmission of HIV;
- (19) criminal neglect of an elderly or disabled person;
- (20) child abandonment;
- (21) endangering the life or health of a child;
- (22) ritual mutilation;
- (23) ritualized abuse of a child;
- (24) an offense in any other state the elements of which are similar and bear a substantial relationship to any of the foregoing offenses.

For the purpose of this subsection, "relative" shall include any person, 21 years of age or over, other than the parent, who (i) is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt; or (ii) is the spouse of such a relative; or (iii) is the child's step-father, step-mother, or adult step-brother or step-sister; "relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. A relative with whom a child is placed pursuant to this subsection may, but is not required to, apply for licensure as a foster family home pursuant to the Child Care Act of 1969; provided, however, that as of July 1, 1995, foster care payments shall be made only to licensed foster family homes pursuant to the terms of Section 5 of this Act.

(c) In placing a child under this Act, the Department shall ensure that the child's health, safety, and best interests are met in making a family foster care placement. The Department shall consider the individual needs of the child and the capacity of the prospective foster or adoptive parents to meet the needs of the child. When a child must be placed outside his or her home and cannot be immediately returned to his or her parents or guardian, a comprehensive, individualized assessment shall be performed of that child at which time the needs of the child shall be determined. Only if race, color, or national origin is identified as a legitimate factor in advancing the child's best interests shall it be considered. Race, color, or national origin shall not be routinely considered in making a placement decision. The Department shall make

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special efforts for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children for whom foster and adoptive homes are needed. "Special efforts" shall include contacting and working with community organizations and religious organizations and may include contracting with those organizations, utilizing local media and other local resources, and conducting outreach activities.

(c-1) At the time of placement, the Department shall consider concurrent planning, as described in subsection (1-1) of Section 5, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

(d) The Department may accept gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

(e) The Department in placing children in adoptive or foster care homes may not, in any policy or practice relating to the placement of children for adoption or foster care, discriminate against any child or prospective adoptive or foster parent on the basis of race.

(Source: P.A. 89-21, eff. 7-1-95; 89-422; 89-428, eff. 12-13-95; 89-462, eff. 5-29-96; 89-626, eff. 8-9-96; 90-27, eff. 1-1-98; 90-28, eff. 1-1-98; 90-608, eff. 6-30-98.)

(20 ILCS 505/7.3)

Sec. 7.3. Placement plan. The Department shall develop and implement a written plan for placing children. The plan shall include at least the following features:

(1) A plan for recruiting minority adoptive and foster families. The plan shall include strategies for using existing resources in minority communities, use of minority outreach staff whenever possible, use of minority foster homes for placements after birth and before adoption, and other techniques as appropriate.

(2) A plan for training adoptive and foster families of minority children.

(3) A plan for employing social workers in adoption and foster care. The plan shall include staffing goals and objectives.

(4) A plan for ensuring that adoption and foster care workers attend training offered or approved by the Department regarding the State's goal of encouraging cultural diversity and the needs of special needs children.

(5) A plan that includes policies and procedures for determining for each child requiring placement outside of his or her home, and who cannot be immediately returned to his or her parents or guardian, the placement needs of that child. In the rare instance when an individualized assessment identifies, documents, and substantiates that race, color, or national origin is a factor that needs to be considered in advancing a particular child's best interests, it shall be considered in making a placement.

(Source: P.A. 89-422.)

(20 ILCS 505/35.6)

Sec. 35.6. State-wide Foster--parent--state-wide, toll-free telephone number.

(a) There shall be a State-wide, toll-free telephone number for any person foster-parents, whether or not mandated by law, to report to the Inspector General of the Department, suspected misconduct, malfeasance, misfeasance, or violations of rules, procedures, or laws by Department employees, service providers, or contractors that is

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detrimental to the best interest of children receiving care, services, or training from or who were committed to the Department as allowed under Section 5 of this Act. Immediately upon receipt of a telephone call regarding suspected abuse or neglect of children, the Inspector General shall refer the call to the Child Abuse and Neglect Hotline or to the State Police as mandated by the Abused and Neglected Child Reporting Act and Section 35.5 of this Act. A mandated reporter shall not be relieved of his or her duty to report incidents to the Child Abuse and Neglect Hotline referred to in this subsection. The Inspector General shall also establish rules and procedures for evaluating reports of suspected misconduct and violation of rules and for conducting an investigation of such reports.

(b) The Inspector General shall prepare and maintain written records from the reporting source that shall contain the following information to the extent known at the time the report is made: (1) the names and addresses of the child and the person responsible for the child's welfare; (2) the nature of the misconduct and the detriment cause to the child's best interest; (3) the names of the persons or agencies responsible for the alleged misconduct. Any investigation conducted by the Inspector General pursuant to such information shall not duplicate and shall be separate from the investigation mandated by the Abused and Neglected Child Reporting Act. However, the Inspector General may include the results of such investigation in reports compiled under this Section. At the request of the reporting agent, the Inspector General shall keep the identity of the reporting agent strictly confidential from the operation of the Department, until the Inspector General shall determine what recommendations shall be made with regard to discipline or sanction of the Department employee, service provider, or contractor, with the exception of suspected child abuse or neglect which shall be handled consistent with the Abused and Neglected Child Reporting Act and Section 35.5 of this Act. The Department shall take whatever steps are necessary to assure that a person making a report in good faith under this Section is not adversely affected solely on the basis of having made such report.

(Source: P.A. 88-7; 88-491.)"; and

on page 1, after line 23, by inserting the following:

"Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 3 TO SENATE BILL 839

AMENDMENT NO. 3. Amend Senate Bill 839 on page 1, by replacing lines 4 through 6 with the following:

"Section 5. The Illinois School Student Records Act is amended by changing Section 4 as follows:

(105 ILCS 10/4) (from Ch. 122, par. 50-4)

Sec. 4. (a) Each school shall designate an official records custodian who is responsible for the maintenance, care and security of all school student records, whether or not such records are in his personal custody or control.

(b) The official records custodian shall take all reasonable measures to prevent unauthorized access to or dissemination of school student records.

(c) Information contained in or added to a school student record shall be limited to information which is of clear relevance to the education of the student but shall include information provided under Section 8.6 of the Abused and Neglected Child Reporting Act.

(d) Information added to a student temporary record after the effective date of this Act shall include the name, signature and

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position of the person who has added such information and the date of its entry into the record.

(e) Each school shall maintain student permanent records and the information contained therein for not less than 60 years after the student has transferred, graduated or otherwise permanently withdrawn from the school.

(f) Each school shall maintain student temporary records and the information contained in those records for not less than 5 years after the student has transferred, graduated, or otherwise withdrawn from the school. However, student temporary records shall not be disclosed except as provided in Section 5 or 6 or by court order. A school may maintain indefinitely anonymous information from student temporary records for authorized research, statistical reporting or planning purposes, provided that no student or parent can be individually identified from the information maintained.

(g) The principal of each school or the person with like responsibilities or his or her designate shall periodically review each student temporary record for verification of entries and elimination or correction of all inaccurate, misleading, unnecessary or irrelevant information. The State Board shall issue regulations to govern the periodic review of the student temporary records and length of time for maintenance of entries to such records.

(h) Before any school student record is destroyed or information deleted therefrom, the parent shall be given reasonable prior notice at his or her last known address in accordance with regulations adopted by the State Board and an opportunity to copy the record and information proposed to be destroyed or deleted.

(i) No school shall be required to separate permanent and temporary school student records of a student not enrolled in such school on or after the effective date of this Act or to destroy any such records, or comply with the provisions of paragraph (g) of this Section with respect to such records, except (1) in accordance with the request of the parent that any or all of such actions be taken in compliance with the provisions of this Act or (2) in accordance with regulations adopted by the State Board.

(Source: P.A. 90-590, eff. 1-1-00; 90-811, eff. 1-26-99.)

Section 10. The Abused and Neglected Child Reporting Act is amended by changing Sections 7.8, 7.9, and 11.2 and adding Sections 8.6 and 11.2a as follows:

(325 ILCS 5/7.8) (from Ch. 23, par. 2057.8)

Sec. 7.8. Upon receiving an oral or written report of suspected child abuse or neglect, the Department shall immediately notify, either orally or electronically, the Child Protective Service Unit of a previous report concerning a subject of the present report or other pertinent information. In addition, upon satisfactory identification procedures, to be established by Department regulation, any person authorized to have access to records under Section 11.1 relating to child abuse and neglect may request and shall be immediately provided the information requested in accordance with this Act. However, no information shall be released unless it prominently states the report is "indicated", and only information from "indicated" reports shall be released, except that information concerning pending reports may be released to any person authorized under paragraphs (1), (2), (3), and (11), and (12) of Section 11.1. In addition, State's Attorneys are authorized to receive unfounded reports for prosecution purposes related to the transmission of false reports of child abuse or neglect in violation of subsection (a), paragraph (7) of Section 26-1 of the Criminal Code of 1961 and guardians ad litem appointed under Article II of the Juvenile Court Act of 1987 shall receive the classified reports set forth in Section

[May 2, 2001]

7.14 of this Act in conformance with paragraph (19) of Section 11.1 and Section 7.14 of this Act. The names and other identifying data and the dates and the circumstances of any persons requesting or receiving information from the central register shall be entered in the register record.

(Source: P.A. 86-904; 86-1293; 87-649.)

(325 ILCS 5/7.9) (from Ch. 23, par. 2057.9)

Sec. 7.9. The Department shall prepare, print, and distribute initial, preliminary, and final reporting forms to each Child Protective Service Unit. Initial written reports from the reporting source shall contain the following information to the extent known at the time the report is made: (1) the names and addresses of the child and his parents or other persons responsible for his welfare; (1.5) the name and address of the school that the child attends (or the school that the child last attended, if the report is written during the summer when school is not in session), and the name of the school district in which the school is located, if applicable; (2) the child's age, sex, and race; (3) the nature and extent of the child's abuse or neglect, including any evidence of prior injuries, abuse, or neglect of the child or his siblings; (4) the names of the persons apparently responsible for the abuse or neglect; (5) family composition, including names, ages, sexes, and races of other children in the home; (6) the name of the person making the report, his occupation, and where he can be reached; (7) the actions taken by the reporting source, including the taking of photographs and x-rays, placing the child in temporary protective custody, or notifying the medical examiner or coroner; (8) and any other information the person making the report believes might be helpful in the furtherance of the purposes of this Act.

(Source: P.A. 84-611.)

(325 ILCS 5/8.6 new)

Sec. 8.6. Reports to child's school. Within 10 days after completing an investigation of alleged abuse or neglect under this Act, the Child Protective Service Unit shall send a copy of its final report on the investigation to the school that the child who is the subject of the report attends (or the school that the child last attended, if the report is sent during the summer when school is not in session)."; and

on page 1, after line 23, by inserting the following:

"Section 99. Effective date. This Act takes effect upon becoming law.".

Under the rules, the foregoing Senate Bill No. 839, with House Amendments numbered 1, 2 and 3, was referred to the Secretary's Desk.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Lauzen, House Bill No. 10 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski

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Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

[May 2, 2001]

On motion of Senator Dillard, House Bill No. 123 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.

[May 2, 2001]

Walsh, T.
 Watson
 Weaver
 Welch
 Woolard

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Petka, House Bill No. 153 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpiel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger

[May 2, 2001]

Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Noland, House Bill No. 171 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays 1.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpier
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.

[May 2, 2001]

Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The following voted in the negative:

Rauschenberger

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Woolard, House Bill No. 198 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard

[May 2, 2001]

Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Parker, House Bill No. 229 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

[May 2, 2001]

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority

[May 2, 2001]

of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hawkinson, House Bill No. 234 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpier
Klemm
Laufen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith

[May 2, 2001]

Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Karpiel, House Bill No. 289 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpiel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel

[May 2, 2001]

O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Dudycz, House Bill No. 427 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel

[May 2, 2001]

Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Karpiel, House Bill No. 632 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle

[May 2, 2001]

Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Dudycz, House Bill No. 681 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title

[May 2, 2001]

a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver

[May 2, 2001]

Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Shaw, House Bill No. 708 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen

[May 2, 2001]

Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Myers, House Bill No. 770 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar

[May 2, 2001]

Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

MESSAGE FROM THE GOVERNOR

A Message for the Governor by Michael P. Madigan
Director, Legislative Affairs

May 2, 2001

Mr. President,

The Governor directs me to lay before the Senate the
Following Message:

STATE OF ILLINOIS
EXECUTIVE DEPARTMENT

To The Honorable
Members of the Senate
Ninety-Second General Assembly:

I have nominated and appointed the following named persons to the office enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body:

[May 2, 2001]

STATE BOARD OF ELECTIONS

To be a member of the State Board of Elections
for a term ending June 30, 2003:

Jesse R. Smart of Bloomington
Salaried

To be members of the State Board of Elections
for terms ending June 30, 2005:

David E. Murray of Rock Falls
Salaried

Albert S. Porter of Chicago
Salaried

Wanda Rednour of DuQuoin
Salaried

Elaine Roupas of Palos Park
Salaried

GEORGE H. RYAN
GOVERNOR

Under the rules, the foregoing Message was referred to the
Committee on Executive Appointments.

ADOPTION OF A RESOLUTION

Senator Philip asked and obtained unanimous consent to have
Senate Resolution No. 127 removed from the Resolutions Consent
Calendar and taken up for immediate consideration.

Senator Philip moved that Senate Resolution No. 127 be adopted.

The motion prevailed.

And the resolution was adopted.

At the hour of 1:30 o'clock p.m., on motion of Senator Shadid,
the Senate stood adjourned until Thursday, May 3, 2001 at 10:00
o'clock a.m.

[May 2, 2001]